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**Implementing Land Reform in Post-
Communist Romania**

by Andrew L. Cartwright

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Abstract

This thesis examines the implementation of ownership reforms following the collapse of Communist rule in Romania in 1989. It concentrates upon the rural sector and, in particular, the question of what to do with the collective farms.

The aim has been to provide a critical account of the roots of the post-Communist land question, going back as far as the agrarian situation in the last century. To this end, regard is had to the land question in the pre-Communist era, concentrating on the efforts made by the state to create a sustainable system of land tenure. The second part of the work investigates how the Communist regime reformed land use and agricultural production, in particular, the methods by which the private control of land was transformed during collectivisation. In this way, the recent land reforms are linked to a much longer history of struggle over land.

The objective has been to examine the legal process of implementing post-Communist land reforms as a means whereby history is rewritten, both nationally and locally. The land reforms are, partly, the official recognition of abuses committed by the former regime and yet, they are also a means of restructuring the country's agricultural sector.

As in other countries in eastern Europe, Communist rule in Romania transformed a predominantly agrarian society into an industrial one. Before the Communists almost three-quarters of the population lived and worked on the land. By the time President Nicolae Ceausescu fell, the proportion was less than a third. The land question in post-Communist Romania centred on the extent to which the need to compensate former landowners could direct the content of reform.

Acknowledgements

I am not sure how much this goes against the grain, but doing this thesis was neither lonely nor isolating. I have many people to thank for that, both in the UK and in Romania. At Warwick, I was fortunate to have Dr Istvan Pogany as supervisor. Apart from benefiting from his vast knowledge of the region, it was with his encouragement that I was able to draw widely in order to create this account of the land reforms. I take this opportunity to convey my sincere thanks for all his help, direction and support over the past four years.

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My initial interest in the problem of the land comes from conversations with two Romanian friends, Simona Horincar and Ligia Tomayagi. They helped me to see different sides to what I thought was a no-win problem, as well as regularly supporting me in my efforts to learn Romanian and the complexities of Romanian life. Ligia's late mother, Mica, introduced me to her old colleagues at the Academy library in Cluj, and, in a way which was repeated over and over again they, in turn, put me in touch with other friends and colleagues who they knew could provide me with material, contrasts, accommodation, contacts and research assistance. I would like to thank Mihai Gherman for being an excellent, warm guide to Cluj, to Toader Nicoara for helping me gain access to the state archives, to the historians then at the Institute of

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The fieldwork in the villages benefited enormously from the background research work conducted by seven students from the Institute of History and Philosophy in Cluj. With the encouragement of Professor Vasile Vese, they gathered material from state and village archives and from older villagers. They also made many of the practical access and accommodation arrangements. Not only did their work make things more intelligible to me, I think that, at least for some of them, it opened up a new area for their own studies and opinions about peasants and rural life. For their enthusiasm, tirelessness and adaptability I would like to thank Florin Abraham, Janos Vajmar and Szilard in Mirsid, Attila Hunyadi and Silviu Taras in Plaiesti and in Pincota, despite its difficulties, Lucian Tol and Calin Morar. For her ability to translate, interpret, fix, gauge and still smile, special thanks go to Alina Ghergha, for their hospitality, Maria Cheregi and the Mate family, and for their witness, thanks to Ioan Roman, Miklos Szasz, Endre Mate and the Mayor of Moldovenesti. *Spor la treaba.*

In the final writing up stage, I was very fortunate to have the help of my father-in-law, Stephen Lycett who ensured that there were no mistakes in the grammar and the syntax; any mistakes in the text itself are mine.

Finally, for her insights, patience and all round soundness, my biggest thanks go to my wife, Sam. *Te pup, draga.*

For Sam and little Milla

A Note on Language, Measurements and Abbreviations

Where I use the original Romanian words, I place them in italics. On the whole, the translations from Romanian to English were either mine or those of my interpreter in Romania, Alina Ghergha. Although I translated Law 18/1991, I asked her to make the necessary corrections, and these were further checked with English speaking Romanian lawyers. In terms of the land measurements, there were various different units, and to make matters more complicated, there appeared to be regional and historical variations in the size of the units. Following David Mitrany, for one *jugar*, I take this to be equal to 5754 square metres, while for one *ari*, I take this to be ten square metres.

Abbreviations used

M.O.- *Monitorul Oficial* - Official Gazette

B.O. - *Buletinul Oficial* - Official Bulletin

H.C.M. - *Hotarire de Consiliului de Ministri* - Decisions of the Council of Ministers

D.C.M. - *Dispozitia Consiliului de Ministri* - Provisions of the Council of Ministers

D.M.A.D. *Dispozitia Ministerului Agriculturii si Domeniilor* - Provisions of the Ministry of Agriculture and the Provinces

D. - *Decret* - Decree

L. - *Lege* - Law

D.L. - *Decret-Lege* - Decree-Law

Glossary of Romanian phrases frequently used

Taran - peasant

Chaiburi – the derogative name given to richer peasants by the Communist Party. Although originally based on the amount of land owned by a peasant, in time, it was used more loosely to denote opponents of collectivisation.

Mijloaci - those peasants who owned between five and fifteen hectares of land, the 'natural allies of the working class'.

Saraci – The poorest group of peasants, that is those owning less than three hectares of land.

Boiar – Those landowners who owned the largest estates, over 500 hectares and usually encompassing a number of villages.

Mosieri – Landowners with estates of between 100-500 hectares.

Cartea Funciar – The Land Register

Ari – 10 square metre

Jugar – 58 square metres

Pile – influence over others, particularly those in authority

Sistemitizare – The planning programme introduced in the early 1960s which sought to reduce the differences between rural and urban life.

Comuna – a group of between six and seven villages making a single administrative area

Intravilan – land situated within the central part of the village

Extravilan – land used by villagers situated away from the central areas

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Chapter One: Introduction

Every revolution has to deal with the past. Former rulers may be placed on trial and forced to confess in public to hitherto unsuspected crimes. If the struggle leading to the revolt has been long or bitter, the new government may try to thwart acts of revenge by means of amnesties and truth commissions.¹ Present need often determines the way in which governments confront past events: former leaders, for example, may need to be appeased, and their security forces incorporated into the structures of the new state.

The collapse of Communist power in eastern and central Europe surprised many commentators.² It was quick and relatively bloodless. One by one the old leaders fell, and with them, the 'leading role' of the Communist Party. Opposition demands took many different forms. Throughout the region, the opening of borders allowed the free movement of people on a scale not witnessed since 1945. In cities, towns and villages, mobs raided the offices of the security services and burnt thousands of personal files together with books of Party doctrine. And, for a couple of months at least, the empty shelves of the shops were filled with affordable produce.

In the words of one historian, the events of 1989-90 represented a 'return to diversity'.³ Not only was each country now free to determine its own alliances, economic systems and political institutions; it was also free to acknowledge its own distinctive past. In Hungary, for example, the patriot and victim of the 1956 revolution, Imre Nagy, was formally reburied with full state honours. All over eastern and central Europe Karl Marx square and streets were re-christened after pre-revolutionary heroes. In every country, political parties banned during the Communist era re-emerged, some even with the same leaders as before.⁴ And, in Romania, Bulgaria and Albania, elderly, but enthusiastic kings and queens tried in vain to revive interest in the idea of a constitutional monarchy.

¹ On the South African context see Michelle Parlevliet 'Considering truth. Dealing with a legacy of gross human rights violations'. *Netherlands Quarterly Human Rights* 1998, 16(2), 141-174, and Jeremy Sarkin. 'The Truth and Reconciliation Commission in South Africa' *Commonwealth Law Bulletin*. 1997, 23 (1/2), 528-542.

² Even though the scholars specialising in Soviet Studies may have been surprised by the events of 1989-90, subsequent developments have given rise to a brand new area of study, flippantly christened by one author as 'transitionology'. For an alternative conceptual approach to the transition, see the chapter, 'A Transition from Socialism to Feudalism. Thoughts on the Postsocialist State' in Katherine Verdery. *What was Socialism and What comes Next?* Princeton. Princeton University Press. 1996.

³ Joseph Rothschild. *Return to Diversity: a political history of East Central Europe since World War II*. New York. Oxford University Press. 1989.

⁴ The National Peasants Party in Romania, which eventually merged with the Christian Democrats, was able to reform with one of its old leaders, the lawyer and longtime political detainee, Corneliu Coposu.

The Communist Party's control over education and the media ensured that history and news reinforced the idea that the country had been living through an epoch of unparalleled progress. Anything which challenged official versions of this truth was generally suppressed.⁵ Thus, after 1989, the media were full of revelations about the lives of the former leaders together with alternative explanations for pivotal events such as the Prague Spring. Many political figures who had been disgraced by the Communist authorities were re-assessed, sometimes emerging as heroes of the anti-Communist resistance.

In each of the former Warsaw Pact countries, this 'working through' the past coincided with sweeping economic and political reforms, some more planned than others. This thesis investigates the reform of land ownership in Romania and, in particular, the ways in which collective property was privatised. It investigates the legal basis for such reform, and uses case studies from two villages in Transylvania to illustrate the implementation process.

There are a number of reasons for choosing land reform as a way to investigate the transition. In Romania, agricultural land covers a third of the country. Just over one quarter of the workforce are employed in the agricultural sector and, in the 1990s, it contributed an average of 15% of the country's gross domestic product.⁶ Although under Communism, agricultural work had a low social status, the country is blessed with rich natural resources. A World Trade report from 1992 claimed that given the quality of the soil and the amount of agricultural land, a reformed sector could feed twice the present population.⁷

Not only would structural reform affect employment and productivity levels, it would have a direct impact on government revenues. In other countries of eastern and central Europe, the reformers applied radical therapy to their economies, opening the country to foreign investment, and abandoning subsidies in the hope that

⁵ The Bulgarian writer Georgii Markov wrote a story about the collapse of a great factory roof which resulted in several people being killed and seriously injured. He had wanted to make a film about the heroic efforts of the firemen to secure the remaining parts of the structure. Whilst the Party officials conceded the strength of the image of the brave firemen, they refused to countenance a film of a disaster which could, from another perspective, be seen as a metaphor for the fragility of the Communist system. Georgii Markov. *The truth that killed*. London: Weidenfeld and Nicolson. 1983.

⁶ Ministerul Agriculturii si Alimentatiei. *Evolutia sectorului agroalimenta in Romania. Raport Anul 1997 al Ministerului Agriculturii si Alimentatiei*. Bucuresti. 1998. p.16.

⁷ *Trade Policy Review - Romania 1992*. General Agreement on Tariffs and Trade. Geneva. March 1993 Volume One. p. 100.

privatisation would re-vitalise state enterprises. On the whole, foreign economists were more interested in the challenge of industrial reform than in agriculture. Nonetheless, there was a minority who argued that this emphasis was misplaced. As well as feeding the population the agricultural sector could produce a trade-based recovery, especially if western European markets were opened. Whilst the benefits of industrial reform would only become apparent in the long term, agricultural reform would repay investment rapidly through absorbing labour and increasing in yields.

Second, conflicts over land use and ownership have been a pervasive feature of the region's development. Control over land meant economic power and political influence. The nobility's ownership of the great estates, for instance, ensured their domination of national politics. So long as the peasant majority was bound in feudal servitude, the power of the state to interfere in economic development at local level was limited.⁸ On the other hand, if a peasant owned enough land to make himself self-sufficient, he could work independently of the local landlord. In Romania, there were pockets of such free villages scattered throughout the country.⁹

Whether they sought to redistribute land in favour of the poor peasant or, more indirectly, to alter the terms of agricultural labour contracts, land reformers had to fight protracted battles. Often the outcomes were opposite to what was intended. Ultimately, the failure to settle the land problem in eastern and central Europe played a major role in the collapse of democratic regimes in the twentieth century and their descent first into Fascism and later into Communism.¹⁰

In the late 1940s and 1950s, struggles over the ownership of rural land and attempts to modernise agricultural production provoked near civil war. In Poland and Yugoslavia, the costs of collectivisation in terms of civil unrest and lost harvests was so great that the campaign was abandoned and the land returned to the peasants. In Romania and Bulgaria, however, the Communist Party was more dogmatic.¹¹ There was a strong current within the Party which placed the blame for the country's

⁸ In this work, peasant will be used to denote someone engaged in small-scale agricultural production. In Romanian, the main word for a peasant is *țaran* which translates as someone of the land. In both Communists and pre-Communists times there were important distinctions between peasants based on the amount of land they owned. Under Communist rule, these distinctions had important social and political consequences. As a result, the varying meaning of these different words will be given at different points.

⁹ The best study in English of the development of these free villages is Henri. H. Stahl *Traditional Romanian Village Communities: The transition from the communal to the capitalist mode of production in the Danube region*. Cambridge. Cambridge University Press. 1980.

¹⁰ Hugh Seton-Watson. *Eastern Europe between the Wars 1918-1941*. Hamden. Archon Books. 1962.

poverty squarely on the backwardness of the peasantry and their attachment to archaic forms of production. In both countries the Communist authorities transformed rural life dramatically as private land became collective or state property and former landowners became urban workers.

In the transition from agrarian to industrial societies, the old social structures were inverted. In many parts of the country, the landless and the agricultural labourers were made the leaders of the new farms, whilst their former peasant employers were consigned to the lowliest positions. As the case studies will show, memories of this period were particularly painful and helped shape the responses of those who considered themselves victims when the land question was re-opened in the post-communist era. Furthermore, it was those memories that determined precisely which aspects of the collectivisation process were to be re-addressed. Although claims for compensation pitted individuals against the state, they were just as likely to create conflicts between neighbours and families.

For many peasants, the reform of the collective system had a clear moral dimension. The collapse of Communist power meant that the wrongs committed during collectivisation could be righted, even if this meant acting without lawful authority. At state level what was seen by peasants as a question of simple justice acquired political and economic dimensions.¹² If the definition of wrong, for instance, was drawn too wide, then the whole population might start considering themselves victims. Alternatively, if claimants found the requirements of proof too exacting the process would lose its credibility. A further issue for the state was the form compensation should take, and the extent to which legislation should aim to reinstate individuals in their former property.

The context in which these questions will be examined is the application of a specific law - The Law on Agricultural Resources, Law No.18/1991. I aim to explore how the legal process operated within a context of complex social change. For the purposes of this study I shall regard the legal process as something broader than the actions of national courts. In Romania the bodies charged with implementing the law were

¹¹ Nicolas Sulber. *The Economies of Communist Eastern Europe*. Westport Connecticut: Greenwood Press. 1957 especially at pp. 224-270.

¹² There were a few notable attempts to consider the moral questions involved in restitution. The *East European Constitutional Law Review* devoted a special issue in Autumn 1993 to consider the moral, political and practical problems of restitution, and the German political scientist, Claus Offe, gave the subject considered attention in his book *Varieties of Transition: The East European and East German Experience*. Cambridge. Polity Press. 1996.

local Land Commissions established specifically for this purpose. There were no lawyers present and there were few formal legal procedures.

On the other hand, the Land Commissions did operate within a legal framework, investigating land claims, determining issues of fact, and eventually issuing legal titles. They used their discretionary powers to decide how the former collective farms were to be dismantled and their assets redistributed. All decisions were validated by a superior administrative body, and some were justiciable in the national courts.

Legal anthropology focuses upon the functions of the legal process within the settlement of disputes.¹³ According to Laura Nader, bodies dealing with disputes have a 'legal style', which reflects widely held traditions and values. In her study of local courts in Mexico she demonstrated how a dominant value system informed the resolution of disputes and helped restore social equilibrium. In addition, investigations of the causes of conflict led to the study of wider issues, such as power and social change.

Local responses to the question 'what shall be done with the land' were many and various. The division of the collective farm was as likely to enrich some villagers as it was to impoverish others. Some of the peasants who had worked for the collective farm abandoned farming altogether; others simply retreated into subsistence cultivation. Whilst I shall focus on the major consequences of the land reforms, my other objective is to detail the manner in which land disputes were dealt with.

Under Communist rule, conflicts were frequently resolved in private. Public forums, such as courts and Parliaments, were organised in such a way as to produce an impression of unanimity.¹⁴ Many accounts of everyday life under Communism demonstrate the critical importance of contacts and networks. In order to obtain all kinds of goods and services it was vital to cultivate good relations with those in power. If a dispute did arise, then an individual's position within these networks would usually determine the outcome.¹⁵ In Romania, a common joke was that the

¹³ Laura Nader. *Harmony Ideology - Justice and Control in a Zapotec Mountain Village*. Stanford University Press. Stanford, California. 1990. For discussion of some of the main strands of legal anthropology see Francis G. Snyder. Anthropology, Dispute Processes and Law: A Critical Introduction. *British Journal of Law and Society*. Vol. 8 No. 2 Winter 1981 pp. 141-80.

¹⁴ The most notorious example of this was the Soviet show trial of the 1930s, where defendants confessed to treacherous crimes invented by the prosecution.

¹⁵ There are many critiques of the realities of actually existing socialism. Again, Georgii Markov provides an excellent account of some of the difficulties of living under Bulgarian Communist rule, whilst Milovan Djilas's *The*

PCR, rather than standing for *Partidul Comunist Romania*, in fact stood for *Pile Conectia Relatia*, or Influence, Contacts and Relations, and that whilst there was over 4 million members of the Party, there were only around 500 Communists.

Steven Sampson's study of the transition in eastern Europe concentrates more on the process of reform than the outcome.¹⁶ This approach, he argued, offered a chance to see how habits of behaviour changed, and to identify instances of where the legacy of Communist rule was harder to overcome. In investigating the process of land reform law I have tried to expose both new and old attitudes towards the state, the legal system and the local authorities. It also offers the opportunity to map changes in personal and public behaviour and to explore the newly emerging relationship between the land and the peasant.

Methodology

My aim is to convey the contemporary importance of land ownership in Romania. Although the focus of the work is the implementation of recent land reforms, I aim to situate these legal measures in a social and historical context.

In terms of the scope of the work, there are several reasons for adopting a historical approach. Throughout eastern and central Europe, the portrayal of the pre-Communist era has had enormous contemporary political significance. The aim has not been to provide an objective, neutral account of previous land reforms. Instead, by using accounts from the time, and from a variety of different perspectives, I have tried to identify some of the key elements to the different pre-Communist land questions and the means that were used to address them during the Communist period.

In terms of the geographical scope of this work, the primary focus is on developments in Romania. Some reference is made to both past and contemporary developments in neighbouring countries such as Hungary and Bulgaria, and for the

New Class analysed the rise and nature of the 'red bourgeoisie' in Tito's Yugoslavia. For Romania under Communism see Dennis Deletant's *Ceausescu and the Securitate. Coercion and Dissent in Romania 1965-89*. London. Hurst and Company. 1995, and Trond Gilberg's *Nationalism and communism in Romania :the rise and fall of Ceausescu's personal dictatorship*. Boulder; Oxford: Westview Press. 1990. For an earlier analysis of the mentality of everyday life under Communist rule in Poland, see Milosz Czeslaw. *The Captive Mind*. New York. Vintage. 1952.

¹⁶ S. Sampson. 'All is possible, nothing is certain: The horizons of transition in a Romanian village.' in D. A. Kideckel (ed.) *East European Communities - The Struggle for Balance in Turbulent Times*. Boulder. Westview Press. 1995.

earlier historical background, it has been necessary to chart the distinct origins and structures of the regions. Still, one of the main themes of this work is the importance of local and national history in explaining the apparently obscure directions of reform. Rather than contrast property reforms using the experience of Communist rule as the common thread, I focus on Romania's reforms and why they took the form they did.

The 'Organic Statutes' from 1830-31 were chosen as a start point because they mark the onset of a social struggle between those who treated land as a relatively stable force and those who sought to continually expand its potential. I have tried to show how the economic dimensions to these conflicts was reflected in the legal conceptions of ownership and in the various attempts at reform which characterised the late nineteenth century. Many of the twentieth century rural problems of land 'hunger' and poverty have their roots in the conflicts between the state, the nobility and the peasantry. I have tried to show how there were longer term structural aspects to the land question, relating first of all to the increase in the population, and secondly, to Romania's peripheral economic position. Here, I draw from regional social and economic histories, government reports and the work of agricultural economists.

In the early part of this century there were numerous government attempts to improve the situation in the countryside. A series of studies tried to identify the precise obstacles to the modernisation of agriculture, many placing the blame on the peasants themselves - in particular, their archaic farming methods and the tendency to continuously divide already tiny holdings. And yet, there were alternative, more sympathetic works, which saw in village traditions a more spiritual and meaningful way of life, finding advantages and 'rationality' in peasant farming and land use practices. I have drawn upon both sets of works in order to outline the differing forces which shape patterns of land tenure.

The final part of this section examines the consequences of the Second World War for the Romanian peasants. Not only did Romania lose territory, many hundreds of thousands of people were forced to leave the country, many of them for good. The abuses that were committed in this period raise difficult moral and practical questions for the current reforms, and the roots of these will be set out in Chapter Four.

The middle part of the work is dedicated to examining how the Communist programme transformed agriculture and land ownership. Chapters Four, Five and Six adopt a broadly chronological approach, though, the primary aim is to highlight those aspects which have the greatest bearing on the present land reforms. I focus on the particular legal and administrative techniques which were employed to transfer peasant land from private to public ownership and, secondly, on the way in which agricultural production and property ownership later on in the Communist era. As in other countries in eastern and central Europe, private property was not completely abolished under Communism. In the rural areas, many individuals retained ownership of their homes and small plots of land nearby. Similarly the actual working of socialist farms varied from the relative successful (Hungarian) collectives to the gargantuan and unwieldy Soviet style (Bulgarian and Romanian) farms.¹⁷ The reform of ownership following the demise of state socialism offers a chance to examine the shaping of both private and public forms of property ownership.

In this part of the work, both primary and secondary sources are used. The main primary sources come from the state archives in the city of Cluj-Napoca in central Transylvania. By examining the actual form of land transfers, the letters of land donation, the contracts of exchange, the reports of agricultural engineers and the reports of Party activists, it was possible to set out some of the precise legal and practical difficulties raised in any 'restorative' project. Material was collected from a cross section of official files from 1947-1955, covering the early stages of the collectivisation campaign in, what is now, four separate counties in Transylvania. To broaden the scope of this part of the work, the archive material was supplemented with contemporary and recent studies of collectivisation.

The final section of the work examines the development of the land question in the aftermath of the revolution in 1989. Chapter Seven investigates the provisional government's first attempts to reform the collective farm system and then offers a critical analysis of the main land reform legislation - Law 18/1991. The aim is to show the basis upon which the law re-distributed land, the administrative

¹⁷ On the different approaches of Communist agriculture see Karl-Eugen Wadekin *Agrarian Policies in Communist Europe: A Critical Introduction*. The Hague. Allandheld. Osmun. 1983.

mechanisms created to implement its provisions, and the consequences it had in terms of land distribution and agricultural production.

Chapter Eight and Nine provide examples of how these land reforms were implemented in two villages. Again, both villages are in Transylvania, and, as was pointed out to me on many occasions in the course of this work, the traditions of property ownership in Transylvania are not the same as in other regions in Romania. In some respects, the location of the villages is not crucial. The aim was not find villages which were representative, but to compare the local conception of the land question with the national one. The reasons for working in these particular villages were primarily practical and related to gaining access to official documents and being able to interview a wide cross-section of those who participated in the land reforms.

In order to show the context in which Law 18 was implemented, I set out the main features of village land ownership prior the Communists, the ways in which collectivisation was achieved and then the ways in which ownership and agricultural production were transformed under President Nicolae Ceausescu. Fieldwork was conducted between June 1997 and October 1997 with two return visits in April and July 1998. Material was mainly gathered through interviews with villagers. Around thirty persons in each village were interviewed, several on more than one occasion. In addition to these sources, documentary material was gathered from the archives of the collective farms, the mayor's office and the county archives.

In order to create a picture of pre-Communist land tenure, interviews were conducted with older members of the village and documents collected from the various archives. The analysis of this material was geared towards identifying common practices in relation to land holding, inheritance, the recording of property rights and the types of farming practised. Interviews were conducted with peasants who owned no land, those that owned large holdings, members of the local authorities and, in the case of Plaiesti, those who participated in the remarkable co-operative enterprises of the 1930s.

In relation to the methods of collectivising and the reactions of the peasants, it was not possible to interview as broad an array of people as hoped for. Many of those who had been involved in promoting collective farming had either left the village or

did not want to be interviewed. Instead, the primary sources for this section are those who, at different stages, joined the collective. During this stage, it became clear that there were many instances of individuals trying to outwit the authorities in relation to their land. These actions had a direct bearing on the question of restoration of the old boundaries and the reclaiming of former property. The point in time to which different former landowners wished to return was often at odds with their fellow villagers and, sometimes, brought individuals into direct conflict. Taking this into account, my approach to the restitution of property emphasises the negotiated basis of the process. As I hope to show, the legal process was, in part, a contest where differing versions of the past competed for ascendancy.

As the aim was to chart the local conception of the land question and how the various priorities were established, it was important to set out the different positions that were taken by different villagers. I categorised, initially in a loose way, interest groups according to the amount of land an individual had owned, whether or not they had occupied any position of authority in the collective farm, and whether or not they still lived in the village. These categories appeared to have a strong bearing on an individual's attitude towards the reform process. It was possible to add other considerations which affected the course of reform, and here, attention was directed towards finding out how the collective farm had worked, and the background to previous attempts at reform. Each person interviewed was asked about their role in the debates over the fate of the CAP in 1990, and for their attitudes towards the positions of their fellow villagers. Comparing these different accounts, I set out, what turned out to be, the two main approaches to the reform of the collective farm.

The other angle of investigation in the fieldwork was the way in which the Land Commission operated. Interviews were conducted with all the elected Commissioners, as well as with a majority of the local authority officials who took part. It soon became clear that precise reconstruction of events and 'cases' from 1990-91 was fraught with problems, especially in relation to the working of the Commission. Most of its decisions were unwritten save the final maps that were drawn up after the distribution of the land. Furthermore, certain disputes in relation to the division of the collective farm's land and assets were still, by 1997, unresolved and some individuals were reluctant to talk.

Questions for the Commissioners were oriented towards outlining their interpretation of their mandate and their powers. In both villages a consistent picture emerged over the way in which they determined questions of fact and questions of entitlement. In turn, this was compared with the provisions of Law 18/1991. Information was also sought from the different categories of peasants who applied for land under the law - former landowners, collective farm workers who had never owned land, those originally from other villages and those returning to claim the land of their parents. Interviews were oriented towards eliciting attitudes towards the work of the Land Commission in the re-distribution of land. Individuals were asked to recount their particular dealings with the Commission and the way in which they had made use of the land received.

One final aim of the case studies was to examine emerging conceptions of property, particularly as they are revealed in disputes over ownership and land use. Some land conflicts were a direct result of the terms of Law 18, others were concerned with the particular local legacy of Communism, and others still, were connected to the economic environment of the transition. Certain disputes have been reconstructed using information from participants and by-standers, not to establish the truth of what happened, but to see the different conceptions of land, how it should be used and the obligations of ownership in the village.

In the concluding chapter, I compare and contrast the contemporary land questions at the national and the local level.

Chapter Two - The land question during the formation of modern Romania

1. Introduction

Modern Romania was formed in the wake of the Ottoman empire's retreat from mainland Europe.¹ As in other parts of the region, its history has been continuously linked with the struggles of the Great Powers. Many of the country's political institutions bear an imprint of those conflicts. The Civil Code, for instance, is based upon the 1804 Napoleonic Code and was introduced following the Crimean War and the Treaty of Paris in 1859, the treaty which granted to the two provinces of Muntenia² and Moldavia³ greater political autonomy from Turkish rule.⁴

Full independence finally came in 1877 following the Congress of Berlin, after a Balkan war fought mainly in neighbouring Bulgaria. In recognition of the contributions that Romania had made in that war, the victorious powers guaranteed the national sovereignty of the Romanian state.⁵ A remarkable feature of the rise of Romania is the skill which her politicians and diplomats have displayed in securing benefits for their country in the aftermath of European wars.⁶

The economic structure of the country, however, was less susceptible to diplomatic manoeuvring. Throughout the region, a system of peasant agriculture dominated, with the vast majority of the population living and working on the land. The organisation of production and the forms of land ownership were feudal in character. Whereas the serf in western Europe had been liberated from his feudal status in the seventeenth and eighteenth centuries, in central and eastern Europe, the ruling elite had managed to increase the extent of their feudal domination over

¹ For a history of the development of the Romanian nation see R. W. Seton-Watson. *A History of the Roumanians: From Roman times to the completion of Unity*. Cambridge. Cambridge University Press. 1934

² Muntenia refers to the region in which the capital, Bucharest, is situated. It is separated from the other regions by the natural boundaries of the Carpathian mountains to the north, the River Olt to the west and the Danube to the east.

³ Moldavia is to the north of Muntenia, and is separated from the other provinces by the Carpathian mountains and the river Prut.

⁴ For a history of the development of the Romanian legal system focusing primarily on its constitutional development see Eleodor Focseneanu. *Istoria constituionala a Romaniei 1859-1991*. Editia a 11-a revazuta. Bucuresti. Humanitas. 1998

⁵ Catherine Durandin. *Istoria Romanilor*. Bucuresti. Institutul European. 1998. pp.109-19.

⁶ It was almost traditional for retired diplomats to publish their recollections of the great congresses and for academic historians to pore over the proceedings of conferences in minutest detail. In many instances, particularly after 1989, the investigations appeared motivated by a desire to explore the question 'what if?'. Historical accounts published in English concerning the national development of Romania include Keith Hitchens, *Rumania 1866-1947*, Oxford. Clarendon Press, 1994. Diplomatic memoirs of Romania's fluctuating fortunes at the great post war conferences include Dov B. Lungu, *Romania and the Great Powers*. Durham. Duke University Press. 1989, whilst a recent critique of Romanian historians approach to great congresses can be found in Lucian Boia, *Istoria si Mit in Constiinta Romaneasca*. Bucuresti. Humanitas. 1995.

the peasantry. In an apparent reversal of the course of western European development, many of the countries of southern eastern Europe entered into a second era of serfdom in the late eighteenth/early nineteenth centuries.⁷

This chapter outlines the transformation of the agrarian question in Romania from the time of the Organic Statutes in 1830-1 to the beginning of the Second World War. The reason for sketching this history is to identify the principal forces that shaped the rural economy and the patterns of land tenure before the communist take-over in 1945-48. As will be seen in the next chapter, although the Communist Party's approach to the agrarian question was far more radical than any attempted before, the intensity of that programme together with the speed of industrialisation owed much to the failure of previous domestic land reforms. In both the nineteenth and twentieth centuries, the agrarian question appeared continually to frustrate the efforts of reformers. Developments in the international economy were often transmitted to the peasantry in the form of worse conditions of access to land, leading occasionally to spectacular outbreaks of violence, quickly followed by further grand programmes of reform. Nevertheless, as will be seen in the later case studies, the Romanian peasantry were not simply passive victims of their environment. The attitude of peasants towards national politics and the legal system has been shaped by what they have perceived to be threats to their livelihood.

In this chapter I propose to examine both the national and the local response to these external forces. I shall argue that, at both these levels, it is possible to detect a certain defensive attitude on the part of the peasants to what they considered to be their own territory. At a national level, such attitudes were evident in tactical and strategic alliances which sometimes appeared to be opportunistic, whilst at the local level (that is, at village, household and individual levels), such defensiveness is evident in actions which may appear short sighted, even obtuse. My aim is not to pass judgment on such attitudes but to examine the calculations which lay behind them, and the calculations which underlay specific actions.

In this chapter I shall focus on the state's attempts to transform the conditions of agricultural production in the country. The later case studies will examine the

⁷ For an extended discussion of some of the reasons for the particular course of east and central European development see Ivan T. Berend and George Ranki *Economic Development in East-Central Europe in the 19th and 20th Centuries*. New York. Columbia University Press. 1974.

response at the village level to the pressures of over-population, under-employment and landlessness which came to dominate the land question in the twentieth century.

At the beginning of the last century, most of present day Romania was a border region of the Ottoman empire. The two provinces that eventually came to form the 'Old Kingdom' of Romania - Muntenia and Moldavia - were governed by a class of Greek merchants appointed by the Turkish Sultan⁸. During their rule, from the beginning of the eighteenth century to the first quarter of the nineteenth, they presided over regimes fabled for their corruption and political intrigue, which, to the superficial observer, wrote Seton Watson, 'passed as Greek rather than Roumanian. Its rulers nursed the strange illusion that the Principalities were destined to take first place in the coming Byzantine renaissance, and that Bucharest might become the capital of a new Hellenic state, firmly planted between the Danube and the Carpathians'.⁹

The war between Turkey and Russia in the late 1820s ended these ambitions, further weakening Turkish influence in mainland Europe. The victorious Russian armies occupied both provinces, at first acting brutally towards the local population. However, under the direction of General Count Kisselev and in co-operation with the indigenous elite, the Russians soon embarked upon a programme of political modernisation. In each principality an assembly of the greatest landowners and the highest ecclesiastical authorities was convened and charged with the construction of a new system of political self-government. Unsurprisingly, the peasantry in the two regions were neither included nor represented in these *divans*. Despite their absence, the 'Organic Statutes' that were produced have been described by one historian as being 'Romania's first constitutional regime, however narrow and imperfect'.¹⁰

The Statutes of 1830-32 established rules for the election of a native prince to govern each province, the creation of a legislative assembly to be made up of *boiars* (the largest of the province's landowners) and of ecclesiastical authorities, a new fiscal regime to replace the previous system of indirect taxation, and finally, a codified body of laws to govern property and economic relations between peasants

⁸ Durandin. op cit. pp. 47-64.

⁹ R.W. Seton-Watson op cit. p.192.

¹⁰ *ibid.* p.207.

and landlords.¹¹ It was this last feature which attracted the greatest criticism from Kisselev.¹² On almost every issue, the Statutes favoured the landlords and the *boiars*. Until this point, the powers of the landlord in the village had been akin to those of a feudal lord, though with several key restrictions on their power. In return for organising the defence of the village, collecting taxes for the prince and judging disputes, the landlord gained exemption from taxes and was entitled to take one tenth of the village harvest as well as certain other labour services from the peasantry. However, his position gave him no proprietary claims over village land.¹³

In both principalities, land was held within the village either communally or by the individual household. Most village land was given over to meadows, pasture and woodlands, the inhabitants being allowed to use as much as they needed. Arable land was divided into equal strips with each household being entitled to the use of one such strip. These strips were not divisible; nonetheless, like houses and gardens they could be transferred through inheritance. David Mitrany paints a portrait of an egalitarian peasant society more threatened by external forces than internal rivalries

The bulk of the people were of the same origin and led the same life; there was but the merest class division, based less on power and wealth than on a rudimentary division of functions; and as long as the supreme hope was to escape from the dangers of the time with bare existence, all were united by the same elementary interest, which forbade rivalry and strife.¹⁴

Although such shared interests tended to preserve village traditions, in the aftermath of the Organic Statutes they were increasingly challenged by rival conceptions of property ownership.

The rise of the court in each principality together with the concomitant growth of an upper class who rendered services and support, ensured that the granting of rights and privileges gradually moved from the village to the prince. Even though this development brought with it the obligation to pay taxes and conferred new rights of

¹¹ David Mitrany. *The Land and the Peasant in Rumania: The War and Agrarian Reform 1917-21*. London: Oxford University Press. 1930. pp. 25-34.

¹² As Mitrany points out to be criticised for the reactionary nature of their decisions was criticism indeed bearing in mind it came from a loyal officer of the Russian Tsar. Mitrany op cit. p.7

¹³ *ibid* p.22.

¹⁴ *ibid*. p.7.

labour service on the *boiar*, the actual land within the village boundary (*hotar*) had, as late as 1803, been considered to belong to the villagers.¹⁵

The Organic Statutes transformed this regime by making the landlord the owner of all the lands of the village, albeit with an obligation to permit the village peasants to work two thirds of this area. The obligation itself was not absolute. In the province of Muntenia, it was specified that such an arrangement would stand only 'until it shall be possible to arrange the leasing of the land *by mutual understanding*'(emphasis added).¹⁶ In return for agreeing to the leasing of their land to the peasants, the *boiars* in the divans strengthened their control by setting out new rules for calculating the number of labour days which the peasants owed. In some parts of the provinces, the number of such days increased dramatically, varying according to the number of oxen owned by the peasants.¹⁷ The basic principle of calculation was that the less livestock a peasant possessed, the more labour days he owed in return for the right to work the landlord's land. Mitrany sums up the position following the introduction of this law in 1830:

...after being reduced to the state of tenants the peasants were made to pay for their land roughly two, two and a half, and three times more than it was worth at the time; and the poorer they were, the more they had to pay for such fields as were left to them.¹⁸

In practice, the domination of the *boiars* over the labour of the peasants had been increasing for a considerable period. Berend and Ranki argue that, as the foreign grain markets of western Europe became more accessible, the ambition of the landowners grew apace:

Statute labour, though fixed at twelve days yearly in 1775, may have been exceeded in practice, but at the beginning of the nineteenth century it was raised to 43 days a year in some decrees. In practice this was so far exceeded that the so called *Reglement Organique* in effect totaled the

¹⁵ Stahl's study shows how villages had their own internal methods of preventing abuse of this principle. If it was considered that a family or an individual had taken too much land or that they had cleared too much land in the forest, then a group of villagers might simply destroy the crops grown there. Stahl op cit. 54-57

¹⁶ Article 118 of the Moldavian Organic Statute 1831 quoted in Mitrany. op cit. p.28.

¹⁷ *ibid.* p.29.

¹⁸ *ibid.* p.29.

various labour dues as 68 days, it curbed rather than extended the prevailing practice.¹⁹

The feudal character of these laws was further confirmed by the provisions relating to freedom of movement. Following the introduction of the Statutes, a peasant was only entitled to leave the village after the expiry of a seven year period. If he wanted to move in the middle of one of these periods, then he had to pay immediately all the tax he would have had to pay to the state had he stayed the full term. To the landlord, the peasant had to pay compensation to cover the value of his labour dues for one year. Other feudal powers were introduced in the Statutes, such as Article 126, which allowed the landlord, with the consent of the local authorities, to expel 'troublesome peasants', albeit with six months notice.²⁰

As Seton-Watson pointed out, under the terms of the Organic Statutes the *boiars* managed to secure for themselves and their tenant landlords, not only the land of the village, but a great portion of the peasants' labour.²¹ The explanation for this shift was largely connected with the economic ambitions of the landed class. The war between Russia and Turkey had ended the Ottoman grain monopoly, and accelerated the development of trade in the areas around the Black Sea. For the *boiar* 'the incentive to extend the area of arable land was irresistible'.²²

3. The 1864 Land Reform - peasants into property owners

It was the system of great estates worked by peasants which was able to meet the increased demand for east European agricultural produce generated by industrial expansion in the west. In Romania, this system of extensive production was not created by statute; after all, the landlord was obliged to rent out two thirds of his land to the villagers. In practice, however, the power of the *boiar* was such that he was able to circumvent many statutorily imposed restrictions. One of the reforms prompted by the 1848 revolutions illustrates the type of power the landlord had over

¹⁹ Berend and Ranki op cit. p.35

²⁰ *ibid.* p.40.

²¹ Both Seton-Watson and Mitrany note how this had been an objective of the *boiars* for a long time. Though there were free villages in many parts of the Principalities, there were also places where, under the pressure of tithes and taxes, peasants had renounced their freedom and declared themselves to be *vecin*, or peasants who worked primarily for the *boiar*. It is ironic that the great figure of Romanian history, Mihai the Brave, still celebrated in the country for the achievement of unifying the two provinces in 1600, should have been the ruler who first decreed that the peasant who lives on another's land should be considered to be a *vecin* and work as such. As Mitrany notes, it was at that point that the word *ruman*, which in Muntenia meant peasant, came to mean the same as *vecin*, that is serf. Mitrany op cit. p.15.

²² 'In the period between 1831 and 1877 the grain exports of the principalities more than doubled, while the area sown with grain greatly increased. Seton-Watson op cit. p.211.

the peasant. In 1851 the system of calculating labour dues was revised to take into account those situations in which a landlord did not have enough land to satisfy the demands of all the villagers. Until that point, it had been possible for a landlord not to give land to all the peasants and yet still require them to work his land as if he had fulfilled his obligation.²³

The change which affected the peasants most dramatically in this period was produced by external pressures. The Paris Convention of 1859, which followed the war in the Crimea, made a series of declarations regarding Romania. By-passing the inconclusive debates of the Moldavian and Muntenian *divans*,²⁴ Article 46 of the Paris peace treaty provided that:

‘All the privileges, exemptions and monopolies which certain classes still enjoy shall be abrogated, and the laws which regulate the relations between landlords and peasants shall be revised without delay, with a view to improving the conditions of the peasantry’.²⁵

Even with this specific requirement it was not until 1864 that the Law for the Regulation of Rural Property Relations was introduced.²⁶ It amounted to the legal abolition of feudalism, making the peasants the owners of the land they had previously rented. In both provinces the amount of land each peasant received was calculated according to the number of cattle he possessed. Those with four oxen in Moldavia, for example, received on average of around 8 hectares of land, whereas those with only one cow in Muntenia received just over 2 hectares.²⁷ The actual effects of this reform were contradictory. Though the new law was intended to establish the peasant as a free, property-owning individual, the system of great estates serviced by peasant labour continued.²⁸ The principal reason for the survival of the system was the compensation which the peasant was obliged to pay to the

²³ Other post-48 reforms sought to ease the restrictions that were placed upon the peasants' freedom of movement. In 1848, a mixed Commission was established of both *boiars* and peasants in order to consider reform of the Organic Statutes. As it could not agree on the basis for reform, it was dissolved soon after it was established. As Mitrany makes clear: 'The revolutionaries of 1848 were devoted to the ideal of individual freedom, in the social and in the political field; but they had little understanding for the material situation of the mass of peasants'.

²⁴ The two *divans* met separately in 1857 in order to consider the possibilities of unifying the two provinces and reforming the economy, both its deliberations were inconclusive. A European Commission sitting in Bucharest and waiting for the outcome of the *divans* reported to the Paris peace conference that if this [agrarian] reform were to be left in the care of the two interested parties, it will never be dealt with equitably'. Mitrany op cit. p.47.

²⁵ *ibid.* p.47.

²⁶ Its full title is *Lege pentru regularea proprietatii rurale din 15 August, 1864, Codul General al Romaniei, Vol.II*. Bucuresti. 1907, pp. 78-85.

²⁷ *ibid.* p.51.

²⁸ Berend and Ranki found that the larger landowners were left with 60% of the total arable surface area. Berend and Ranki op cit. p.37

landlord for the loss of his land; in addition, the landlord was able to manipulate the implementation of the law to his advantage. He was allowed to select that third of his estate which he could keep, even if this meant that the villagers were left with insufficient land with which to establish a viable family farm. The law provided that where shortfalls of land occurred they would be met from state reserves. Should a surplus remain after distribution, it was to remain in the landlord's estate. In some regions of the country, the local power of the landlord was such that even peasants who were entitled to land either did not receive it or, if they did, received only land of the poorest quality. It was common for inaccurate measuring tools to be used; furthermore, the parcels that were created were often landlocked -that is, they were surrounded on all sides by the land of the *boiar*. In these circumstances it was not unknown for the *boiar* to demand a toll from the peasant for the privilege of crossing his land. The only national survey to be conducted into the implementation of the reforms recorded that :

'In one village, they even took the well and the spring that were within the village and gave drinking water for man and beasts, and for the watering of the gardens; afterwards demanding twelve days labour for the water he drinks in the village'.²⁹

In those areas where there were land shortages the distribution of state reserves was extremely slow, and some peasants waited many years before they received their holding. There were other groups who were ignored altogether. Those who did not rent land from the landlord (and who therefore did not perform any labour services for him), received no land under the Act.

The Romanian peasant politician and one-time Minister of Agriculture Garoflid, wrote that 'in 1864 only the juridical problem of the peasant, who becomes free in law was solved; economically only the estates were emancipated'.³⁰ Without money, the peasant paid for his land with labour and produce, just as he had before the Act. The fact that many peasants received inadequate plots added a further incentive to provide labour to the landlord in return for land.³¹ In all, 467,840 peasant families

²⁹ Dr. D. B. Ionescu *Agricultura Romana in judetul Mehedinti*. Bucuresti. 1866. p.158, quoted in Mitrany *ibid.* p. 57.

³⁰ Quoted in Mitrany *ibid.* p.55.

³¹ Mitrany quotes a contemporary study by A. V. Millo, who argued that with the holdings distributed averaging 6 hectares, 4 and a half and 2 and half hectares, only some of the peasants in this first category would have much chance of creating a self-supporting farm. *ibid.* p.55.

gained 1.8 million hectares of land, 1.2 million from the *boiars*, the remainder coming from state reserves.³²

4. The backwaters of a servile economy - Neo-serfdom³³

One consequence of the 1864 reform was to alter the legal basis of landlord/peasant relations from status to contract. Yet, as Garoflid argued, this did little to improve conditions for the majority of the peasants. Indebted to the state and the landlord, the peasants continued to provide labour to the landlords via the system of agricultural contracts. These contracts of land for labour were the central element in the gradual worsening of relations between the parties.³⁴ They were often drawn up in February, when the peasants' debts were highest after winter, and included penalties such as the seizing of produce or even animals should a peasant fail in his contractual duties. Some contracts combined individual liability with collective liability, with villagers being forced to perform the labour dues of other villagers who failed to work. In some regions, the *boiar* could call upon the local military to enforce an agricultural contract.³⁵ Normally it was the local mayor who ensured that the right amount of work was done. As Mitrany points out, very few of these officials challenged the local *boiar* over his obligations under the contract and, in any case, Article 31 of the 1866 Law on Agricultural Contracts ruled out the involvement of local courts in contractual disputes.³⁶ According to Marcel Emerit, the agricultural contracts were simply 'the confirmation of the old servitudes in contractual form.'³⁷ The socialist writer Dobrogeanu-Gherea described the rural economy that appeared following the 1864 reforms as '*neoiobagia*' (the new serfdom). For him 'the 1864 reform carried in its womb the terrible year 1907'.³⁸

In Transylvania and Bucovina, which at that time were both part of the Austro-Hungarian empire, the formal abolition of feudal relations began earlier. For the majority of the peasants, the effects of the reforms were similar to those in Romania. The Act of Emancipation of 1848 distributed land from the estates of the great landowners to the peasants though, as happened in Romania, only certain

³² Hitchens op cit. p.167.

³³ The phrase is from Mitrany op cit. p.56.

³⁴ Mitrany paints the position of the peasantry following the reforms as follows 'For when the peasant, economically unprovided and socially unprepared, was turned adrift on the sea of laissez faire, the landlords found it easy to pull him back into the backwaters of a servile economy again' *ibid.* p.56

³⁵ Article 30 and 31 of the 1864 Law of Agricultural Contracts, quoted in Mitrany *ibid.* p.74.

³⁶ Hitchens op.cit. p.170.

³⁷ Marcel Emerit, quoted in Henry L. Roberts *Rumania – Political problems of an Agrarian State*. New Haven. Connecticut. Yale University Press. 1951 op.cit. p.17.

categories of peasants actually benefited. Those who were serf-tenants (*jobágygy*) were granted ownership of the land that they had worked, whilst those who were cottage tenants (*zellerség*) could claim land, though it was at the discretion of the landowner whether any land was actually given to them. The poorest peasants, those referred to in the agricultural census as 'day labourers and farm servants', were excluded altogether from the reforms, even though these two classes, landless and dependent on the large estates, formed the majority in the countryside.³⁹

As in Romania, the regime of agricultural contracts and labour discipline assumed a feudal system at odds with the formal equality provided by the Act of Emancipation. Janos describes how between 1878 and 1898 the labour legislation that was enacted ranged from exempting masters from liability for 'minor acts of violence' (Domestic and Farm Servants Act 1878), to making 'gatherings for the purpose of extracting wages' illegal (Penal Code 1878). The Agricultural Labour Act of 1898 outlawed agricultural strikes completely and made labourers criminally liable for breaches of their seasonal contracts and provided that 'fugitive labourers be returned to their place of work by the gendarmerie'.⁴⁰

5. The rise of the absentee landlord

In the Hungarian provinces, the Act of Emancipation brought about the virtual disappearance of the middle gentry from the countryside. Lacking serf labour and finding foreign competition hard to resist, many were forced to sell their properties in order to pay their debts. As Eddie describes, it was not the land-hungry peasants who benefited from their misfortune, rather, it was the aristocratic families who were able to augment their already enormous estates. By the end of the century the land of the middle landowning gentry, that is those owning between 100 and 500 cadastral holds (between 57 and 285 hectares), was almost totally assimilated into the great estates. Those owning estates over 1000 cadastral holds (575 hectares)

³⁸ Quoted in Mitrany op.cit. p.62.

³⁹ Janos bases this finding on the agricultural census of 1787 in which the majority of peasant households -952,482 families (51.9% of the total) were cottage tenants, 635,568 families (34.1%) were serf-tenants, leaving the remaining 14% as landless labourers. Andrew C. Janos (1982), *The Politics of Backwardness in Hungary 1825-1945*, Princeton N. J. Guildford. Princeton University Press. pp 26-30.

⁴⁰ See Janos *ibid.* p.129-130. One of the key features associated with the worsening of rural conditions was the emigration of vast numbers of eastern Europeans to the Americas. Eddie give the following estimate on net flow of emigrants. About 200,000 persons left between 1869-1880; 250,000 between 1880-90; 165,000 between 1890-1900 and in the first decade of the century nearly 647,000 left Hungary, mainly for the United States. Scott M. Eddie, *The Changing Pattern of Landownership in Hungary, 1867-1914*, in *Economic History Review*, Vol. 20, 293 -309 at 306 n. 1967.

increased their proportion of the total amount of land available from 39.1% in 1865 to 39.7% in 1914.⁴¹

In Romania, the post-reform structure of landholding favoured the great estates. Although the legislators had tried to prevent the splitting up of peasant land by prohibiting alienation, by the end of the 1880s, as Keith Hitchens notes, even those parts of the peasantry owning above average sized properties were selling land to their more prosperous neighbours and landlords.⁴² Improvements in technique and yields were frustrated by land hunger, with holdings being sub-divided within families. Although the fractured nature of peasant holdings has been a perennial problem in Romania's agrarian development, its roots can be traced to the shift from communal to private patterns of ownership in the mid to late 19th century. Following the 1864 reforms, peasant holdings were separated into privately owned strips which, depending on the vagaries of local implementation, could be miles apart from each other. Under the pre-64 land regime, the sustainability and integrity of village land had been partly guaranteed by making it the landlord's obligation to find an adequate plot for the newly married couples of the village. As part of the new settlement, the landlord was no longer obliged to do this, causing the burden to fall either on the parents of the couple or on the local authorities who could draw from state reserves. If there were no such reserves, the only option was to divide the parental holdings or to rent from the landlord and his *arendasi*.⁴³

The twin pressures of a steadily increasing population and peasant indebtedness led to a situation of land hunger in many parts of the country.⁴⁴ Agrarian policy under various Conservative and Liberal administrations often served to exacerbate the problem. The policies of selling state domains, for instance, failed almost totally to meet the needs of the poor, land-hungry peasants.⁴⁵ Auctions of land were initially held only in the capital itself, and on terms that very few peasants could actually meet, usually payment of the bulk of the purchase price within the first month, for instance. Although changes were later made in the organisation of these sales, out

⁴¹ As the Romanian delegation at the League of Nations would later emphasise, the three richest aristocratic families in Transylvania, the Teleki, Banffy and Bethlen families, owned 200,000 cadastral jugars or 116,000 hectares of land between them. For an collection of original documents in English and Romanian relating to the League of Nations disputes between Romania and Hungary see *Minoritatile Nationale din Romania - Documente*. I. Scurtu and L. Boar (eds.) Bucuresti. Arhivele Statului din Romania. 1995. pp. 312-43

⁴² Hitchens op.cit. p.168.

⁴³ The *arendasi* was the name given to those whose responsibility it was to manage the estates of the *boiar*.

⁴⁴ The increases in population were at their most spectacular in the last decades of the century. Between 1859 and 1880, the total population of the country rose from 3.7 million to 4.6 million. In the following thirty years that figure rose to 7 million. Berend and Ranki op cit. p.37. As will be examined later in this chapter, the debates concerning demographic growth and development have proved to be a key part in the analysis of the agrarian question.

of the 680 state domains that passed into private hands between 1866 and 1886, only 39 went to peasants. The overall effect of the sales was to transfer yet more land to the landlords and the *boiars*, land which in turn could be rented out to the land-hungry peasantry.

A marked feature of the post-1864 rural economy was the emergence of absenteeism amongst the *boiars*. Though there were important regional differences in the character of the ruling elite and in their relations with the peasants, migration from country to town became increasingly common.⁴⁶ Many of the larger landowners left their country estates to be managed by *arendasi*. By 1900 almost three-quarters of the estates of over 5000 hectares and over half those of over 50 hectares were managed by these *arendasi*. Many of the latter came from Austria, attracted by the prospect of prodigious returns, from which the peasants excluded.⁴⁷

The first consequence of this professionalisation of estate management was that the price of land, fueled by Austrian capital, soared. The stipulation in the 1864 Act that foreigners were prohibited from purchasing land outright reduced the incentive for the new tenants to make any longer term investment in their holdings.⁴⁸ The standard contract between landlords and tenants provided for five-year leases. For the *arendasi*, who often lacked any background in agriculture, the way to achieve the quickest return on their outlay was simply to raise the price of rents.

6. The vulnerability of the peasant to the effects of the international economy

As noted earlier, the expansion of the world market in cereals created great opportunities for the largest landowners, particularly those in the south of the country

⁴⁵ Mitrany op cit. p.69

⁴⁶ The French Consul-General, Poujade, described the Moldavian nobility in the following terms. 'The Moldavian boyar is master of his vast domain, it is he who draws up the recruiting lists, who pays his peasants' taxes directly to the *vistierie* (Ministry of Finance), and the authorities must obtain his consent to administer justice in his district. He has not, unlike the Wallachian, a passion for public office, though when he does fill one, he too often shows the same lack of disinterestedness and rectitude. One does find him assiduous at paying court to the prince, who for him is only a *primus inter pares* exalted by the will of fellow countrymen. Under foreign occupation the conduct of the Moldavian boyars has been much more dignified than that of the Wallachian boyars. No eager obsequiousness. The Russian agents and generals were not, as at Bucharest, the object of cringing adulation. The Moldavian salons have almost always been closed to the most brilliant general staffs, and the marriages, so frequent in Wallachia, even below the upper class, between Russian officers and the women of the country, have been extremely rare in Moldavia.' E. Poujade, *Chretiens et Turcs*, Paris, 1859. p.442-443. From *Contrasts in Emerging Societies- Readings in the Social and Economic History of South-Eastern Europe in the Nineteenth Century*. D. Warriner (ed.) London. Athlone Press. 1965. p.151.

⁴⁷ Although the evidence appears ambivalent, it was reported at the time that many of the foreign speculators were Austrian Jews, and the charge was that it was they who were ruining the peasant with the ever increasing rents. Without giving dates, though it would most probably be between the 1870s and 1880s, Roberts notes that whilst it was true the great Moldavian estates were run by Jewish *arendasi*, the great majority of landlords/managers were Romanian (73%). Roberts op.cit. p.14.

⁴⁸ Eidelberg op cit. p.46.

where the land was relatively flat and fertile. Between the mid 1860s and the mid 1890s average cereal exports increased by 150%. According to Eidelberg, these increases were prompted not by an increase of mechanisation or a raising of the yield through the greater use of fertilisers, but simply by extending the amount of land under arable cultivation. When international prices started to slump in 1874,⁴⁹ the reduced profits from exports were transmitted directly to the peasants in the form of higher rents. Eidelberg charts the shifting motivations of the landlord and his increasing disengagement from the peasant's situation as follows:

'Between 1829 and 1875, he wished to export more wheat to meet the increasing demand of the West. Now, however, the landlord wished to export more so as to be better able to absorb the increasingly stiff competition from North American cereal producers, a competition that was cutting into his profit margins'.⁵⁰

As Roberts notes, it was the land-hungry peasant who bore the brunt of this loss. From 1870-1890 land rents rose by between 100-200% for one-third of all properties, and by over 200% for another third.⁵¹ For Eidelberg this slump in wheat prices and the subsequent rise in rents were the main causes of the explosion of peasant violence in 1907.

The peasants' exposure to international markets was not only manifested in the form of higher rents. During the economic depression of the mid 1870s and 1880s, many of the region's agricultural exporting countries took measures to protect their markets from the effects of international competition. In the Austro-Hungarian empire, for example, the domestic cattle market was protected through the introduction of strict quotas and import tariffs. Whilst the great landowners were hardly affected by this, protectionism further destabilised the markets available to the peasants. The latter owned the vast majority of cattle in Romania which were used as draught animals and also to provide milk for both household and local market. Once they were no longer useful for work, they were usually sold at market and often, at least in the western parts of the country, to Hungarian buyers. The drying up of the Austro-Hungarian market drove the peasants even further towards the *arendasi*. After

⁴⁹ Eidelberg charts the drop in the five year average price from 305 lei per metric ton in 1870-74, to 264 (1875-79), 235 (1880-84), 175 (1885-89) and 163 lei in 1890-94. Gabriel Eidelberg *The Great Romanian Peasant Uprising of 1907: Origins of a modern Jacquerie*. Leiden. E. J. Brill. 1974. p.32.

⁵⁰ *ibid.* p.230.

⁵¹ Roberts. *op cit.* p.15

ploughing up the last of their pasture, many of the peasants devoted almost the entirety of their land to cereal production.⁵²

7. The agricultural situation at the turn of the century

According to Mitrany, amongst others, state agrarian policies in the latter part of the nineteenth century were of limited effectiveness. When the peasants reacted violently to their worsening conditions, as they did in 1888, the administration promised reform, but only after the uprising had been put down and 1000 lives had been lost. In the following year, the Conservatives organised the distribution of state lands in small lots yet, as Mitrany notes, 'the demand for land far exceeded the available area'.⁵³ The regime of agricultural contracts was another example of how the state's intervention in the agrarian problem had only the most superficial effects. Although the peasant was the juridical equal of the landlord, the contracts by which he sold his labour for land were specifically excluded from the jurisdiction of the national courts. The Law of Agricultural Contracts for 1882 justified this in its preamble by declaring that whilst agriculture was at this 'rudimentary stage' it was necessary that it be given special protection.⁵⁴ It was not until the Law of Agricultural Contracts of 1893 that the peasants were finally granted access to the courts. Even then, the effectiveness of the measure was undermined by the provision that both the legal basis of the contract and the jurisdiction of the national courts were a matter of discretion between the parties.⁵⁵

8. The 1907 Revolt and the failure of reform

In 1907, the tensions of growing land scarcity, poverty and rising rents exploded in a *jacquerie* of extreme violence. Sparked by increases in rents, the revolt of the peasants spread quickly throughout the country, at one time threatening even Bucharest. Ten thousand people were killed in a single week. The response of the government was once again swift and brutal, though the programme of rural reforms included a commitment to regulate the terms of local agricultural contracts. To ensure fairer terms and conditions, the Liberal government set up communal agricultural committees in which peasants, landowners and the state were

⁵²In Romania there were between three and four hundred cattle for every thousand persons, well above the European average, and yet there was no legislation providing for communal grazing land. I. T. Berend, *Agriculture*, in *The Economic History of Eastern Europe 1919-1975*, Vol. 1, M. C. Kaser and E. A. Radice (ed.), Oxford. Clarendon Press. 1985. p.150.

⁵³ Mitrany op cit. p.70-71.

⁵⁴ *ibid.* p.73.

represented. Other post 1907 reforms included a limited distribution of state land to the landless as well as the imposition, in certain circumstances, of an upper limit to the amount of land that could be owned.⁵⁶

At the time, the reaction amongst international commentators, was that the measures proposed would achieve little. Mitrany quotes a French writer who, writing in the year of the revolt, declared:

One can predict with certainty that these texts will bring nothing but disappointment; for they tend to replace by artificial and hasty combinations a natural evolution which could only result from a profound change in the habits of the ruling class.⁵⁷

For example, the great problem with new local committees which were charged with overseeing the terms and conditions of the agricultural contracts was that their decisions were simply ignored by many local landowners. As Roberts noted many of the:

‘proprietors preferred informal and unwritten agreements, which the law did not cover, and few peasants dared to demand application of the law for fear of being driven from the estate’.⁵⁸

The one innovation that did seem to offer an alternative solution to the land problem was the *obstii satesti* programme (peasant land-renting co-operatives) that began in 1904. For the first time, an agrarian movement appeared that did not focus on the size of individual peasant estates as the key to Romania’s agricultural under-development. Unsurprisingly, the larger landlords were reluctant to lease their land to these village co-operatives, which acquired most of their land from the state and public institutions.⁵⁹ The creation of a state Rural Office in 1907 seemed to signal that cracks were appearing in the economic domination of the latifundia. It was charged with organising agrarian reform for the peasantry by effecting land transfers, improving cultivation, and rationalising holdings.

⁵⁵ *ibid.* p.96.

⁵⁶ *ibid.* p.89.

⁵⁷ *ibid.* p.89.

⁵⁸ Roberts *op cit.* p.21.

⁵⁹ Through state distribution, land rented by co-operatives had increased from 133,000 hectares in 1908 to 410,000 hectares in 1916. *ibid.* p..21.

9. Conclusions

In the end, the state's attempts to tackle the grievances which led to the peasants' revolt were fated 'to sink in the quicksand of Rumania's public life'.⁶⁰ The Rural Office ended up purchasing only limited amounts of land to transfer to the peasants, enriching itself more than its intended beneficiaries. The co-operative movement, although allowing the more industrious and dynamic peasants access to land at affordable rates, collapsed as a result of the 1918 land reforms, which made many of them outright owners of the land they had previously rented.⁶¹

For Mitrany, the main problem with agriculture in Romania at the beginning of the century was that the landlords had the benefits of feudal labour without any corresponding obligations:

'from feudalism they had all the advantages of servile labour without any of its responsibilities; from capitalism they had the freedom to bargain with labour without the restraint of a free labour market'.⁶²

Okey outlined the wider context of rural under-development in the region when he argued that:

'capitalism in the countryside would merely impoverish the weaker peasants without a background of industrialisation in the towns; but industrialisation in the towns could not proceed without the market provided by prosperity in the countryside'.⁶³

Eidelberg, who analysed the roots of the 1907 uprising in depth, offered a variation on this when he argued that the social organization of the estate system was far more sustainable than its economic basis. The object of the small peasants' resentment was not primarily the unattainable wealth of the landlords, but the modest successes of an emergent rural bourgeoisie. Eidelberg argued that:

'to the small inefficient peasant, the growth of a relatively dynamic peasant class constituted much more of a threat than did even the *arendasi*'.⁶⁴

⁶⁰ Mitrany op cit. p.89.

⁶¹ Eidelberg op cit. p.109-110.

⁶² *ibid.* p.30.

⁶³ Robin Okey. *Eastern Europe 1740-1985: Feudalism to Communism*. London. Routledge. 1986. p.119.

⁶⁴ Eidelberg op cit. p.232-33.

Later, the Communist rulers would use this fear to foment hostility between the emerging social classes in the villages. The next great solution to the Romanian land question, as in the 1830s and the 1860s, appeared as a result of war between the great powers.

Chapter Three – Expropriation and Reform, 1913-41

1. Introduction

Throughout the nineteenth century, the sanctity of private property was guaranteed in Romania by law and, at least for the *boiar*, sustained by the economic system of tenant farming and professional management. Article 19 of the 1866 Constitution explicitly prohibited the state from confiscating private land, save for a limited number of purposes.¹ Where such interference did take place, the owner was to be compensated swiftly and at a fair market price.

At the beginning of the twentieth century, this regime was overturned by war and the threat of social revolution. In a relatively short period, the economic supremacy of the great landowners disappeared to be replaced by a system which had at its centre the small, family-owned peasant farm. As Janos puts it, 'the peasant homestead was to serve as the cornerstone of political stability and of a new domestic market providing stimulus for industrial development'.²

The history of the land question in Romania in the inter-war period is not one of political stability and economic growth. In many ways the new rural economy proved itself impotent in the face of such social problems as under-employment and poverty. Romania's vast increase in both territory and population at the end of the Great War might have allowed the country to take advantage of its abundant natural wealth and escape from its peripheral status in Europe. Instead, the plight of the peasantry in the inter-war period has been held by many commentators to have been the greatest single obstacle to the development of modern democratic states in the region.³

This chapter will examine the land reforms that were introduced, the ways in which they were implemented and some of the effects that they had. The aim is, first, to examine the international context which, once again, exposed the country's vulnerability to fluctuations of the market; and, secondly, to consider the domestic

¹ For a detailed discussion on the constitutional debates generated by the post-war land reforms, see Focseneanu *op cit.* pp.52-58.

² Andrew C. Janos "Modernisation and Decay in historical perspective: The case of Romania", in Kenneth Jowitt (ed.) *Social Change in Romania 1860-1940 - A debate on development in a European nation*, Berkeley. Institute of International Studies, University of California. 1974. p.103

³ For instance see Okey *op cit.* p.172.

agrarian policies which were introduced to modernise agriculture and to stimulate the development of the industrial sector.

2. The Great War and the Demise of the Latifundia

Throughout the nineteenth century and even in the aftermath of the great revolt in 1907, neither of the two main political parties in Romania had ever suggested expropriation as a means of addressing land hunger and rural poverty. Until the Great War, the *boiars* had been economically and politically dominant. Revenue from agriculture was the single greatest contribution to the country's budget, and both Liberals and Conservatives saw this income as the only way to promote industrial growth. It was also the case that cereal production in some parts of the country was becoming increasingly mechanised, increasing both yields and exports.⁴

It was the First and Second Balkan Wars which alerted the major parties in Romania to the dangers of inequality and poverty in the countryside. Roberts and Mitrany point out that not only did the experience of fighting far from their home villages expose Romanian peasant soldiers to less divisive forms of society, but also that some politicians recognised the necessity for some redistribution of wealth. Although Bulgaria was by no means a rich country, the division of land was relatively egalitarian, and the absence of great estates meant that even the small-holders were not forced to divide their fields endlessly amongst their children.

In 1913, the Liberal leader, Bratianu, advocated a programme of electoral and land reform, including, for the first time, the forced confiscation and redistribution of private land. After victory in the 1913 elections, the Liberals set up two commissions to consider the necessary legislation. As Roberts points out, even at this stage, it was unclear whether anything tangible would ever emerge. One of the Commission's members complained that little had been achieved in its first two years:

No work was done at all. In 1914 - nothing; in 1915 - nothing; that was all its preparatory work.⁵

⁴ Berend op cit. p.207.

Romania's entry into the Great War ensured that, in Mitrany's phrase, the proposals for land reform did not 'sink into the quicksand of Romanian public life'. So wildly did the Romanian army's fortunes fluctuate during the Great War, that many of the country's leaders were convinced that military collapse would precipitate social revolution. In the first of a series of decisive interventions, King Ferdinand declared in 1917 to the peasant soldiers at the front:

You have earned the right of being masters, in a larger measure, of that soil upon which you fought. Land will be given you. I, your King, am the first to set the example.⁶

A first land expropriation Bill was presented to the Constituent Assembly in the summer of 1917. In the words of one of the deputies, it was "not a piece of scientific reform, but merely an electoral manifesto."⁷ It sought to secure two million hectares of arable land from the largest landowners, in addition to the Crown lands already promised by the King. The Bill stipulated that no reform law could be introduced until six months after the cessation of hostilities, and secondly, in order to amend Article 19 of the 1866 constitution, any Bill would require a two thirds majority in Parliament. In the period between the enactment of this Bill in July 1917 and the end of the war - Romania sued for peace in March 1918 - the country's Conservative politicians tried to temper its radicalism. They argued for the maintenance of the latifundian system, albeit with a limited distribution of land in the form of compulsory leasing schemes and the creation of more peasant co-operatives.

The compromise failed. The threat of social upheaval convinced other elements of the political class, including as we have the seen, the King, that some form of land redistribution was necessary to appease the mass of peasants. The great empires of Austria-Hungary, Tsarist Russia and Ottoman Turkey were rapidly disintegrating, and with the collapse of their armies, commanders and politicians throughout the region believed that the peasant conscripts were vulnerable to the propaganda of the radical left. In the years that followed the social revolutions in Hungary, Germany, Bulgaria and Russia, Romania's leaders argued repeatedly that their great landowners had sacrificed their property for the sake of the security and

⁵ Roberts op cit. p.22.

⁶ The declaration was made two months after the fall of the Tsar in Russia, and whilst the majority of the Old Kingdom, including the capital city, were under occupation by the German Army. Mitrany op cit. p.101.

maintenance of liberal Europe. Without the land reforms, they argued, there was a real danger of Bolshevism contaminating the whole region.⁸

In November 1918, King Ferdinand reaffirmed his commitment to transfer Crown lands to the peasants of the Old Kingdom and the newly incorporated province of Bessarabia.⁹ At the same time the revolutionary assembly of Alba Iulia in Transylvania declared that the aspiration of all Transylvanians and Bucovinians was to be united with Romania. In all, the Old Kingdom gained four new provinces through the war: Bessarabia from Russia in the north west of the country; Transylvania from Hungary (including Crisana, Maramures and the Banat in the south); Austrian Bucovina in the north between Maramures and Bessarabia; and, as a result of the Second Balkan War, southern Dobrogea from Bulgaria.

3. Land from the rich: the expropriation provisions of the reforms

Each provincial assembly, apart from the one in Dobrogea, introduced its own land reforms, which were later ratified by the Bucharest Parliament.¹⁰ The central authorities attempted to use the reforms as a means to integrate the new provinces. However, their success was limited since their authority did not run as strongly in the regions as they wished. In Bessarabia, for instance, Bolshevik influence was extensive and the 'National Council' sought to fix the ceiling for rural land ownership at 50 hectares. Pressure from the Bucharest Parliament forced them to raise this level to 100 hectares, yet the law as finally adopted still managed to include the provision that if the target of one million hectares of arable land was not met, this 100 hectare ceiling would have to change.¹¹ To acquire sufficient land for redistribution,

⁷ The speaker was Garoflid, the future Minister of Agriculture. *ibid.* p.107.

⁸ Later on, Romania's leaders would seek international credit for the sacrifices their landowners had made to assure peace in Central Europe. Its importance in staving off Bolshevism in Europe was acknowledged by others though. Borkenau's history of the Communist International arguing that distributing land to the peasants was the "strongest single obstacle" to the spread of the Russian example, and whilst not solving all the problems "for a decade it took the sharp edge off them". F. Borkeneau. *The Communist International*. London. 1938 p.99

⁹ For the previous hundred years, Bessarabia had been under Tsarist rule. Its population was a mix of Romanians, Ukrainians, Russians and Bulgarians, and in part owing to Tsarist corruption and neglect, the Bolsheviks had attracted support throughout the country. By July 1917, two-thirds of the large properties had been seized by the peasants and in certain cities Bolshevik Soviets were in control. The entry of the Romanian army into the capital Chisineu, and the vote by the national Council for unification with Romania, was only the beginning of attempts by the Romanian state to dampen the appeal of the Bolsheviks.

¹⁰ For the main land reform legislation introduced in this period see Costea, Larionescu and Tanasescu *Agricultura Romaneasca - O perspectiva istorico-sociologica*. Bucuresti. Editura ARARAT. 1996. pp. 151-178.

¹¹ Mitrany *op cit.* p.126

the Bessarabian law expropriated the land of foreigners, absentee landowners, monasteries and the arable 'surplus' of those estates over 100 hectares.¹²

In Transylvania, rural landholding had for a long time been dominated by Hungarian aristocrats. The Alba Iulia assembly aimed to redistribute rural land from the largest landowners, foreigners and absentee owners to the poorest peasants, who were on the whole, Romanian. The maximum amount of land that could be owned was much higher than in Bessarabia, reflecting the complexity of economic development in the region and its close ties with western markets. The legislators were careful to exempt rural properties which, although large, were deemed to have educational, scientific, artistic, cultural, philanthropic, public health or national economic benefit.¹³ In Bucovina, estates of foreigners, absentee landowners, those who had lost their civil rights and those who had rented out their land for more than nine years were expropriated, whilst the maximum amount of land that anyone could hold was set at 250 hectares.¹⁴

There were additional features common to these reforms. Each provincial decree-law, for instance, expropriated land as a proportion of the total amount owned by each proprietor. By contrast, the land reform in the Old Kingdom considered the individual estate as the unit of expropriation, thereby benefiting those landowners who owned more than one property. In Bucovina and Transylvania, the assemblies opted for a gradualist approach toward expropriation and redistribution, allowing the landowner to continue to work his land until such time as it was 'needed',¹⁵ whereas, in the more turbulent province of Bessarabia, expropriation was more 'spontaneous'. Approximately two thirds of the great estates in this province were expropriated by the peasants themselves in the period prior to the enactment of the law.¹⁶

The Old Kingdom decree-law of 1918 was perhaps more indiscriminate than the decree laws adopted in the provinces. All crown lands, arable lands on state domains

¹² The ratified law expropriated land belonging to local authorities, firstly to the extent which was recognised as 'necessary for cultural needs' or secondly, for the 'general good management of the environment' - Article 4 c). Article 5 reduced monastical estates to a maximum of 50 hectares. Article 7 provided for the expropriation of those estates between 25-100 hectares that had been farmed out during five consecutive years between 1905-1916 would be reduced to a maximum of 25 hectares - *Lege pentru reforma agrara pentru Basarabia 'Casa Noastra'* - Institutie de expropriere si impropietarire 13 Martie 1920 in Costea et al op cit. pp. 145-50.

¹³ The full text of the Transylvanian land reform law can be found in *ibid.* pp. 151-56.

¹⁴ *ibid.* p.156-58.

¹⁵ The whole estates of these two last groups were expropriated. Absentee owners were defined according to whether or not they had had to pay during the previous five years the double land tax reserved for absentees, or whether they had had their land cultivated under the organisation and supervision of an *arendasi* since 1914. Article 7 a) and b). *Lege reforma agrara din Oltenia, Muntenia, Moldova si Dobrogea din 17 iulie 1921.* *ibid.* pp.151.

¹⁶ Roberts op cit. p.33.

and land of foreigners and absentee owners were expropriated, yet the debates in Parliament stalled on the amount of land that would be expropriated from the latifundia. Following the dismissal of the first 'peasant' government by the King, the final land reform, promulgated on July 17th 1921, introduced a maximum of 100 hectares, with the individual owner rather than the individual estate forming the basis for the 100 hectare ceiling.

One criticism of the Romanian land reforms that was levelled throughout the 1920s was the allegation of discrimination against the country's national minorities. Inter-war Hungary was especially vociferous in pursuit of the property rights of ethnic Hungarians in Romania who had, until recently, been its citizens. Despite the establishment of dispute resolution committees by the League of Nations, the argument dragged on throughout the decade.¹⁷ The creation of 'Greater Romania' out of the collapsing empires that surrounded her, meant that the country was full of 'foreigners'. Each reform had its own criteria and procedures for distinguishing between 'foreigners' and new citizens awaiting naturalisation, and there is no doubt that in some areas this produced injustice.¹⁸ The varied definitions of 'absentee owner' similarly presented an opportunity for some local score settling.¹⁹ In its defence, the administration argued that the appearance of discrimination was primarily the consequence of the discriminatory system of ownership which it had inherited. In Transylvania, for example, it was inevitable that any redistribution of land would have a disproportionate impact upon the ethnic Hungarian aristocracy because they owned around 90% of the land over 500 hectares.²⁰ Even so, the controversy over discrimination plagued relations between the two countries in the years to come.

¹⁷ For the main arguments used by both delegations, together with extensive statistics relating to the ethnic dimensions of the implementation of the land reform laws, see the documents collected in *Minoritatile Nationale din Romania - Documente*. I. Scurtu and L. Boar (eds.) Bucuresti. Arhivele Statului din Romania. 1995. pp. 312-43

¹⁸ As would be the case throughout Eastern Europe following the collapse of Communism, the provinces treated 'foreigners' very differently from 'citizens'. To those who found themselves in the position of now being 'foreign', the actions necessary to prevent total expropriation varied. In Bessarabia, for instance, Mitrany reports how the decree law gave its foreign citizens only 8 days in which to declare their Romanian citizenship. The Transylvanian decree-law, with its more gradualist approach, offered its citizens the chance to wait until a national law on national minorities was drawn up before indicating whether they wished to become Romanian citizens. The Bucovinan decree-law defined foreigners as all those who were not Romanian or who were not citizens of Bucovina on August 1st 1914. Mitrany op cit. pp. 125-27.

¹⁹ The definitions of absentee owner varied. In Bessarabia, Article 7 defined an absentee owner as someone who had leased out his land for five consecutive years between 1906-16. In Transylvania, Article 9 c) of the ratified decree law, provided that an absentee owner was someone who, from the 1st December 1918 until the ratification of the decree law, July 1921, had been continually away from the country without have been on 'official business', whilst Article 5 b) of the Bucovina decree law stipulated an absentee owner was someone who, between 1909-1919, had spent more than half of that time outside of the borders of Austria or Romania.

²⁰ Both Mitrany and Roberts are reluctant to say outright that the decree-laws were discriminatory. Mitrany concedes that some elements of the land reform decree laws had been 'tainted with a nationalist bias', but at the same time points out that this refers to only 'one edge of a very big piece of social legislation' Mitrany op cit. p.182.

Whilst the redistribution of land from the rich to the poor was a simple response to the urgencies of the situation, this action alone was unlikely to create the basis for a viable system of peasant agriculture. As Ion Mihalache, the Agriculture Minister in the short-lived peasant government pointed out, the reforms were hardly innovatory. They were:

‘not the work of a social concept, not the response to a social ideal, not the work of conviction; under the threat of the events of 1917, it is the continuation of a series of land settlements on the model of 1881 and 1889, it is the over-simplified concept that a new equilibrium between large property and small property must be stabilised in order that there be future peace’.²¹

In the provincial land reforms the primary beneficiaries of the expropriations were those who owned the smallest properties and those who held no land whatsoever. Each reform presupposed an optimum holding of between 5 and 8 hectares, preferably situated in one single unit.²² This could be achieved through ‘topping up’ existing holdings by supplying the peasant with ‘complimentary plots’, or through encouraging an owner to relinquish his old plot and moving to a larger one through the system of ‘colonisation plots’. The social element of the reform was the idea that the recipients might actually deserve the land because of their war service. In Transylvania, for instance, being a veteran was more important than prior farming experience or the size of any existing holding.²³

5. Creating a viable peasant economy: weaknesses of the reforms

Mihalache argues that the reforms failed to address the deeper structural problems of agriculture. Many agricultural economists and social reformers had pointed out the peasants themselves were the major obstacle to greater yields and sustainable land use. The widespread custom of dividing land equally amongst sons and daughters inhibited the use of agricultural machinery, even if the peasant had access to these resources. The splitting of family farms so that each child received an equal portion of hilly land, pasture land, woodland etc. meant that each farmer might

²¹ I. Mihalache, *Dreptul taranilor la pamant, islazuri si paduri* Bucuresti. 1922. Quoted in Roberts op.cit p.30

²² The order of preference was contained in Article 33 of the Bessarabian land reform law. For a full reference see n.9.

²³ The order of preference was contained in Article 92 of the Transylvanian land reform law. It included not only those who had fought in the war but the families of those who had been wounded or killed.

well have to travel many miles each day just to reach his various plots. To prevent further fragmentation, each of the post-war land laws restricted the property rights of the new owners. The state was given the right of first refusal on the purchase of any plot that was subsequently put up for sale, and new owners could not sell their land until five years had passed from the date they received the title deeds, which, in any case, would not be until the purchase price had been paid in full.

The land laws also tried to prevent the proliferation of tiny holdings by establishing the minimum plot size that could be created on inheritance. In the plains, owners could not split their land, on succession, into plots smaller than two hectares or, in the hills and highlands, into plots of less than one hectare.²⁴ Mitrany points out that this was a departure from previous practice: previous laws had usually declared that any land received must remain inalienable.

The weakness of this approach lay in its enforcement. As one of the later case studies will show, in the aftermath of land distribution it was common for land to be sold regardless of the law. In a number of the provinces, there was not even a formal system of land registration and even where there was one, as in Transylvania, many exchanges and sales of land went unregistered. As Turnock points out, where there was no accurate register, it was difficult for the land to be used as collateral for credit loans. Even though the mainstream banks had traditionally avoided agriculture, there were popular peasant credit associations who lent money for agricultural machinery, seeds etc. The absence of the land register inhibited their expansion.²⁵

The second weakness of the reforms was the failure to organise the consolidation of existing holdings. Measures were introduced to encourage the creation of 'complimentary' and 'consolidation' holdings yet, in practice, implementation was piecemeal and dependent on the local availability of land.²⁶ As Mihalache points out although 'none of us could be against consolidation in principle', there was a fear that the programme would be an occasion for 'unjust enrichment'. In seeking more rational holdings, peasants could acquire the better quality land of their neighbours,

²⁴ Article 127 of the 1921 land law permitted the owner of a property to leave it to only one heir, and limited the division of land on the plains to only 2 hectares and one hectare in the hills and mountains. Restrictions on the sale of land were eased, though purchases of land were limited to 100 hectares in the plains and 25 hectares in the mountains. By Article 133 a landowner was able to declare indivisible an area of up to 50 hectares.

²⁵ David Turnock. *The Romanian Economy in the Twentieth Century*. London. Croom Helm. 1986. p. 78-79

simply because it would allow them to join their strips together.²⁷ A further fear was the effect that such swapping would have on production levels.

In the long term, though, the progressive decline in the size of the average holding weakened the ability of the rural economy to cope with the pressures of population increases. As the survey of sixty villages by the sociologist Dimitri Gusti and colleagues in the late 1930s found, it was those holdings that were created in the reforms which were the first to disintegrate. The researchers found that those who had received land under the reforms were more likely to divide their properties than the larger holdings and that they were more likely to sell them.²⁸

The final element of the redistribution laws that undermined the creation of a viable peasant economy was the compensation provisions. The value of land was calculated by special local commissions who took into account the prices of land in that region in the previous five years, the estimates of value made by local credit associations and the local rents in operation. With the drop in the value of the currency, the *leu*, the level of compensation was most commonly set at forty times the regional rent for the year 1916. Those who received land were given between 20-50 years to repay the amounts owed, although many of the decrees stipulated that 20% of the price had to be paid immediately. The state did promise to assist the poorer peasants in the acquisition of sufficient land by paying 50% of the cost, yet even with such assistance, the compensation provisions, together with the drop in agricultural incomes during the 1930s, ensured that many peasants were crippled by debt.²⁹

6. 'This sad spectacle': the agrarian situation in the inter-war period

Mitrany's study of the Romanian reforms began with the observation that throughout eastern Europe the old aristocratic order had been profoundly shaken by the war, and in many places, such as Romania, its previous supremacy was virtually destroyed. It was true that the different land reform laws in Romania did make a distinction between those great landowners who could show that their agricultural

²⁶ Mitrany op cit. p. 160-161.

²⁷ Roberts op cit. p.29.

²⁸ D. Gusti, *60 Sate Romanesti*, II, p.49, Bucuresti. 1941-44

property had brought tangible national benefits and those who could not. It was possible for farms of up to 500 hectares in size to survive the reforms if they could show that they had benefited from substantial capital investment, and, as we have seen, the Transylvanian legislators made a series of exemptions for properties which conferred public benefit. These were, however, exceptional. As Turnock puts it: 'latifundia was replaced by minifundia'.³⁰ By 1927, almost half the total agricultural area was accounted for by farms of under five hectares, while 35% of the land was covered in farms of between five and fifty hectares. Properties over 100 hectares shrank from just over eight million hectares of the total agricultural area to just over two million.³¹ Over six million hectares of land were expropriated under the reforms, and from that figure the peasants received just over 3.6 million hectares.

Approximately 950,000 hectares of this land was distributed in the form of communal pasture land and almost 500,000 hectares was distributed as communal forest. These figures give little indication of the way in which different regional needs for land were met. In some places, the relatively low density of population meant that there was plenty of land for everyone living in the area, and enough for others if they could be persuaded to move there. With some success, the government encouraged poorer peasants from neighbouring counties to migrate to the sparsely populated and newly acquired province of Dobrogea. In the sub-Carpathians, on the other hand, on the west side of the country, the higher density of the population and the hilliness of the terrain ensured that there was little arable land available for redistribution.³²

The scale of Romania's land reforms dwarfed those of her neighbours, appearing to signal a fundamental reorientation of state policy towards the agrarian question. At least in terms of the size of the new holdings, agriculture was reconstructed on the model of the small family farm. The emergence of national political parties to represent the peasants also signalled a possibility that there might be real improvements in the rural areas. Previously, the Parliament in Bucharest had been elected on a very narrow franchise and concerned itself largely with the interests of

²⁹ There were slight differences in the ways in which compensation was calculated under the different decree-laws. For an abbreviated summary see Roberts *op cit.* pp. 32-38. For a more extensive discussion of the political context of the compensation debates, see Mitrany *op cit.* pp. 148-158.

³⁰ Turnock *op cit.* p. 77.

³¹ These figures are taken from the work of Alexander Nasta, and represent the situation in 1927. The actual implementation of the Act though was still taking place in 1940. Quoted in Roberts *op cit.* p.368.

³² The most comprehensive description of these regional variations is found, of course, in Mitrany *op cit.* pp.164-184.

the great landowners and industrialists. In 1919 the extension of the franchise to all adult males over 21 resulted in the election of the National Peasant Party to government. The fact that the traditional parties placed so much pressure on the King to dismiss this coalition demonstrated how seriously they viewed the threat posed by the new party.³³

Romania was transformed in other ways by the Great War and by the Paris peace settlements.³⁴ Between 1912 and 1920, the population more than doubled in size.³⁵ Its territory increased from almost 14 million hectares to just under 29.5 million hectares, of which just under 12.5 million hectares was arable land.³⁶ The addition of the new provinces offered the opportunity of transforming the old political and economic regime of the country, strengthening and diversifying the industrial and agricultural sectors, as well as vastly increasing the labour force. The former Russian province of Bessarabia, for instance, was primarily a cereal growing area, though its sizeable orchard and vineyard sector signified a more intensive form of agriculture than that of the southern plains. Transylvania, a culturally rich area with a higher than average urban population, had a developed industrial and mining sector.

Nationally agriculture was still the greatest employer and it continued to make the largest contribution to the country's net income (over 60%). In the next twenty years, though, the early promise of reform disappeared. As many historians of the region have argued, the failure to solve the agrarian problem fatally weakened the politicians' attempts to modernise the country's economy. Turnock points out that while the generation of peasants which fought in the war and which received land as reward, might be willing to accept the 'unremitting labour and minimal financial return' of farming, their sons and daughters, forced to migrate for work, might not. Unlike their parents, this generation was reluctant to accept the 'contrasts between town and country'.³⁷ The disillusionment of the young with the politics of both the

³³ The rise of peasant politics was not limited to Romania. In neighbouring Bulgaria for instance, the peasant leader Stamboliskii sought to reorganise the country in the image of the village, promoting a radical egalitarian approach to both politics and property. See Ross Crampton. *Bulgaria*. London. Routledge. 1992

³⁴ The full title of the treaty was Treaty of peace between the Allied and Associated Powers and Hungary. It was signed on June 4th 1920, and published as No. 10 of the 1920 Treaty Series by HMSO. Cmd. 896. By Article 45 of the treaty Hungary formally renounces its claims to Transylvania and Article 27 reconstitutes the frontiers of Hungary.

³⁵ In the 1912 census there were 7,160,682 people living in the Old Kingdom, that is Oltenia, Dobrogea, Moldavia and Muntenia. With the acquisition of the new provinces of Transylvania, Banat, Crisana, Maramures, Bucovina, Bessarabia and southern Dobrogea this figure rose to 15,541,424. Roberts op cit. p.355.

³⁶ Romania's territory increased from 137,903 to 304,244 square kilometres.

³⁷ Turnock op. cit. p. 81.

traditional parties and the Peasant party was a major cause in the descent into authoritarianism and fascism in the late 1930s.³⁸

The state relied upon the agricultural sector to supply it with sufficient revenue to stimulate industrial development, and yet state investment in agriculture was consistently lower than that given in industry. Since the beginning of the century, industrialisation was promoted as the key to resolving a series of inter-connected economic and social problems - the reliance on imported machinery, the narrowness of the export base which exposed the domestic economy to fluctuations in the international market, the problems of under-employment and rural over-population, land hunger and mass poverty. The agricultural sector was placed in the paradoxical position where it was expected to provide income to subsidise other productive sectors, yet without receiving the levels of investment that would allow it to reproduce itself, let alone expand.³⁹

This can be illustrated by comparing yields before and after the post-war reforms and the overall levels of agricultural exports. Before the Great War, the average yield per hectare had been continually rising. In 1913, in the Old Kingdom the average yield per hectare had reached 1400 kilograms. In the next twenty-five years, neither in the Old Kingdom, nor in the country as a whole, did the average yield attain that figure.⁴⁰ In relation to exports, Berend notes the following gradual decline in the world position of the region's agricultural exporters:

Grain exports which had been one of the most important items of east European foreign trade, remained 20-25% below the pre-war level, falling from 13% of world wheat exports (1909-13) to no more than 4 % and recovering in the late 1930s to only 8%.⁴¹

³⁸ The rise of the Iron Guard, for instance, was in part a result of the failure to diversify the economy and absorb the ranks of the young who were moving to the cities seeking an escape from the limited horizons of rural life. One of the primary sources of recruits for the fascists, were those disaffected graduates who could not find work. Although many of them were absorbed into the country's bureaucracy, many were frustrated in their search for non agricultural work. Professions such as law were massively over-supplied, and the absence of alternative opportunities ensured that, many of the cities contained large groups of bitter, poor and articulate ex-students. The leader of the Iron Guard, Codreanu, explained their plight as the loss of the country's essential spiritual values to an alien urban, "metropolitan" culture, a message that was compelling in both the town and the country. For a history of the rise of the Iron Guard in Romania see Tom Gallagher. *Romania after Ceausescu*. Edinburgh. Edinburgh University Press. 1994 especially Chapter Two. For Codreanu's own writings see *For my Legionaries: the Iron Guard*. Madrid.

Editura Libertatea. 1976

³⁹ Turnock op cit. p. 77-84.

⁴⁰ Roberts op cit. p.377.

The next two sections will examine in more detail the most important elements in this equation - the inability of the agricultural sector to modernise and the question of 'over-population'.

6.1. Declining productivity and agricultural inefficiency

The Great War was an enormous setback in the steady rise of agricultural production that had taken place in the first decade of the century. During 1915-18, almost one third of Romania's entire agricultural machinery was destroyed, and an even greater percentage of its cattle stock was killed. Before the war, Romania had exported 4.6 million tons of agricultural produce, whereas in the immediate post war period the figure fell to just 109,000 tons.⁴² Many of the great wheat producing estates were dismantled in the land reform and, without machinery or fertilisers, the hundreds of thousands of new smallholdings could not possibly match the yields that these farms had achieved.

Throughout the inter-war period, the average yields of all the major cereal crops failed to reach the levels that they had attained in the pre-war period. Between 1909-13, an average of 1.29 tons of wheat was produced for every hectare, yet by 1935-38, the average wheat yield from all farms in the country had only reached 1.02 tons after its post war fall. It was the same for all the other major cereal crops - maize, rye, barley and oats.⁴³

There are several reasons why agricultural production stagnated following the war, some of which were connected to the unsettling effects of expropriation and the staggered approach to the redistribution of land. The key problem was the peasants' lack of means significantly to increase crop yields. Hungary was by far the largest user of agricultural machinery in the region yet, with a total of 7000 tractors in use in 1938, this was a very small percentage of the European total of 270,000. In east Europe as a whole, there was only one tractor per 1750 hectares, representing only one-third of the European average. It was a similar picture with the use of threshing machines: only in Hungary was there any appreciable use of such devices, and even there only 15% of the grain area was harvested by machines. Ivan Berend notes that

⁴¹ Berend op cit. p.208.

⁴² *ibid.* p.152.

⁴³ *ibid.* p.169

in the period from the beginning of the depression to the beginning of the Second World War, the number of ploughs in Romania increased from 170,000 to 2.26 million, and yet in 1939 there were still over one million farms without a plough. When it came to fertiliser use the statistics were even more striking - 'whereas 100-300 kg [of fertiliser] were being applied per hectare in the western parts of the continent ...2 kg per hectare were used in Hungary, just under 2 kg in Poland, 1 kg in Bulgaria and Yugoslavia and 0.2 kg in Romania'.⁴⁴

Whilst these figures indicate the comparative inefficiency of the agricultural sector, they do not in themselves identify what were the most appropriate solutions to the sector's problems. As the Danish agricultural economist Gormsen noted in his 1939 report for the Romanian government, simply to focus on techniques for increasing crop yields at the expense of other, what he termed, 'agrarian' reforms, was bound to fail.⁴⁵ An increased use of machinery, for example, was unlikely to affect yields on the smallholdings (that is on the majority of the country's arable land) so long as an average holding consisted of four to five strips, with the distance between them of between four and seven kilometres.⁴⁶ The average number of strips actually increased during the inter-war period. Lack of economic opportunities in the rural areas, and the slow development of the industrial sector meant that many of the younger peasants migrated upon marriage to other parts of the county or took over plots from their parents.⁴⁷

The Law on Co-operatives introduced, in 1931, represented an alternative approach to restructuring agriculture. As in the pre-war situation, the state's attempt to stimulate the development of this sector was relatively unsuccessful. Turnock's explanation for the limited impact of the co-operative movement was that the peasants suspected official involvement in agricultural production as some kind of

⁴⁴ *ibid.* p. 195-96

⁴⁵ According to Gormsen, agrarian reforms are those that focus on the legal and administrative infrastructure surrounding agricultural production, and consequently can only be carried out by the state. Agricultural reforms on the other hand, are ultimately effected through the work of the individual farmer - introducing new methods of cultivation, increasing fertiliser use, investing in farm machinery to free labour for more intensive farming, diversifying what is grown to avoid exposure to international market changes. For Gormsen, the backward state of agriculture in Romania was due to the fact that these agricultural reforms had not been introduced concurrently with agrarian reforms. Quoted in Roberts *op cit.* M. Gormsen *Short Introduction to the Principal Problems of the Agriculture in Romania*, Bucharest. 1945.

⁴⁶ Quoted in Roberts, *op cit.* p. 59.

⁴⁷ The economic historian Teichova writes that 'Whilst Hungary's industries were able to absorb the net increase in the potentially active population between 1935 and 1937, industry and mining in Bulgaria, Yugoslavia and Romania were able to syphon off approximately a quarter of the annual increase in their potentially active population'. Alice Teichova 'Industry' in Kaser and Radice *op cit.* p.239.

precursor to collectivisation. As an eye-witness, Roberts is contemptuous of the state's initiative:

The various co-operatives, in which the active participation of the peasants was extremely limited, have been of little real value, and at times they have done more harm than good. The management quite frequently exploited the peasant's ignorance and inexperience to its own benefit. The co-operatives were not really co-operative ventures but rather official institutions, financed, directed and controlled by the state and therefore completely subject to political vicissitudes. But most important a poor peasant is not in a position to be very useful in a co-operative.⁴⁸

The problems of land shortage were exacerbated by the annual rise in population. As early as 1930, the director of the Romanian Central Institute of Statistics wrote:

These figures [from the 1930 census] permit one to affirm that our country has arrived at the saturation point, and even at an agricultural over-population.⁴⁹

Roberts is careful in his use of the term 'over-population' to avoid the implication that there was an 'optimum' population. He argues that the problems of rural over-population were relative to the type of agriculture practised and the yields that could be produced. As was frequently pointed out by agricultural economists at the time, the population density of Holland was very close to that of Romania, yet the former's agriculture was sustainable because of its higher crop yields. The traditional western method of increasing yields was via the use of machinery, fertilisers etc., or alternatively, by diversifying agricultural production towards greater production of vegetables and fruit, thereby reducing reliance on imports and creating a broader export base. In both areas, the Romanian peasants behaved differently to western producers. The most common crops planted by the new peasant landowners, for instance, were precisely those cereal crops which benefited most from the economies of scale and scientific inputs that the Romanian farmers did not have.

⁴⁸ Roberts *op cit.* p.145.

⁴⁹ *ibid.* pp. 42-43.

The only significant shift in the inter-war period was in the increased production of maize, primarily a subsistence rather than a market crop.⁵⁰

Throughout the region rural over-population was a key political question.

Economists both from Romania and abroad calculated exactly how much of the rural population was 'required' in order to maintain present production levels. The English economist Doreen Warriner declared that 'in eastern Europe as a whole, one quarter to one third of the farm population is surplus'.⁵¹ Tomasevich, working on the basis that it took one man to work effectively 1.25 hectares, 'found' 41% underemployment in Yugoslavia, 25% in Romania and 27% in Bulgaria. If the actual size of the rural population in central-eastern Europe was compared with the numbers that sustained agricultural productivity levels in western Europe, then the figures became extraordinary:

In Hungary 22%, in Romania and Poland 51%, in Bulgaria 53% and in Yugoslavia 61% of the entire rural population would become unnecessary.⁵²

For these economists, the greatest ill of over-population was that it prevented the formation of capital amongst the peasantry. The little capital that was accumulated was not used for investment; instead it was needed for outlays such as tax, compensation to the former landowner and for buying those goods which could not be produced at home. When the economic situation was depressed then, according to Berend:

The chief way of reducing production costs in these circumstances remained the socially and economically most damaging method of wage reduction on the large estates and the increasing rate of self-exploitation (i.e. cutting household consumption) in the peasant economy.⁵³

A little further on, he declares that 'overpopulation, by such preclusion of investment, is one of the main obstacles to development'.⁵⁴ He does concede that the conditions of the peasantry could have been worse. Like Robin Okey, he argues that a

⁵⁰ This is similar to the Italian dish Polenta and is made by mixing maize flour with milk or water, flavoured with cream or meat.

⁵¹ Doreen Warriner *The Economics of Peasant Farming*, Oxford. Oxford University Press. 1939

⁵² Quoted in Berend op cit. pp. 185-86.

⁵³ *ibid.* p.186.

'definitively capitalistic attitude' would have had an 'unambiguously disastrous' effect on the living standards of the rural population.

On a national scale, the lack of capital accumulation by agriculture and the high consumption/low productivity of the peasantry may have slowed down modernisation and supported industrialisation. Yet, at the village level, there were numerous methods for coping with the consequences of over-population. Within a household, it was possible to split arable land into yet smaller holdings; extra income was sought by working for the medium and wealthier peasants; and, in many parts of the country, the 'under-employed' sons travelled to other, richer villages, or even, where possible, to the urban areas.⁵⁵

Over-population touched all aspects of Romanian life and although it was only one element in the agrarian problem, it could not be solved by simply redistributing yet more land to the poorer peasants. Using the 1941 agricultural census, Roberts calculates that even if all the properties over 100 hectares were distributed to all those properties under 5 hectares, their average size (2 hectares) would only increase by 0.7 hectares. Even if property was expropriated from all those properties of over 50 hectares and the land distributed to the same group of poor peasants, the average smallholding would only rise to 2.9 hectares.⁵⁶

As the Romanian Communist Party appreciated, the fundamental problem with small scale peasant agriculture was that it was incapable of generating sufficient income to support industrial-led growth which, in the long term, was accepted as the only solution to the problem of over-population. Worse still, the peasants' short term solutions to the symptoms of over-population were counter-productive. In contrast to the recommendations of the agricultural experts of the time, smallholders practised the wrong type of agriculture. In comparison with the enormous international cereal producers, such as Canada, Argentina, the United States and Australia the peasant producers of eastern Europe were woefully inefficient. As Berend points out, these emerging producers had gained an almost unassailable advantage over the east Europeans during the Great War. Whereas the fields of south-eastern Europe were

⁵⁴ *ibid.* p.186.

⁵⁵ Roberts notes that the number of sons of peasants who travelled to find work in Bucharest was starting to increase in the 1920s. By 1945, there was even a set of statistics produced by the Central Institute of Statistics called 'Sons of Peasants Street Pedalling in Bucharest'. Roberts *op cit.* p.45.

⁵⁶ *ibid.* p. 54

devastated, these four countries were able to continue supplying the cereal needs of western Europe to saturation point.⁵⁷

6.3. Romania's agricultural sector during the depression

In the 1930s those peasants who exported cereal crops saw the price first halve and then gradually drop to a low of one-third the 1929 value in 1934.⁵⁸ The response of both the poorer and the richer landowners was to extend the area of land under arable cultivation, even though their levels of indebtedness were increasing as the average agricultural incomes continued to drop in the early part of the decade.⁵⁹ Work in the cities was scarce, and by the operation of the so-called price scissors effect the prices of essential industrial goods fell less than the price of agricultural goods. The only social group that was able to 'weather' the crisis was the very small, though growing, medium peasant sector. With a surplus of labour in many parts of the countryside and an increase in the number of peasants wishing to sell their recently received land, this sector expanded, largely at the expense of the poorer peasantry.⁶⁰

The attempts of successive governments to counter the effects of the depression concentrated on exporters rather than on those producing for domestic markets or subsistence purposes.⁶¹ In the early parts of the decade, the government, in line with other countries in the region, introduced tariffs on imports and attempted to provide subsidies that would cushion the drop in international prices for the agricultural exporters. Even though the prices had fallen sharply, the amount of cereals actually exported increased at the height of the depression.⁶²

For Romania, the loss of its western markets threatened to destroy its export revenue. In a similar pattern throughout the south eastern part of Europe, the maintenance of at least some adequate export markets owed a great deal to the

⁵⁷ Throughout the 1920s the world grain mountains grew. In 1925 the world's unsaleable stocks of grain stood at 3.87 million tons, by 1927 it had risen to 5.14 million and in the year of the great stock market crash, the figure had reached 12.25 million tons. Quoted in Berend *op cit.* p.183.

⁵⁸ *ibid.* p.171

⁵⁹ The situation for the Romanian peasant was amongst the worst in Europe. Berend writes that 'Adjusted for the cost of living, the income of peasant households in 1932-33 was only 67% of the 1913 level in Hungary, 66% in Poland, 47% in Yugoslavia and as low as 30% in Romania'. *ibid.* p.173.

⁶⁰ Roberts points out that the small size of this sector meant that this was 'of only limited relevance' to the general state of the countryside. Roberts *op cit.* p.180.

⁶¹ For a general survey of the actions taken by inter-war administrations in the region to support agriculture, see Berend *op cit.* p.171-201

wider geopolitics of the region. From the middle of the 1930s to the end of the decade, Hitler's Germany greatly increased its share of Romania's agricultural exports. The culmination of this increased economic co-operation was a treaty signed in March 1939 between Romania and Germany.⁶³ Not only did it guarantee a market for Romania's agricultural produce, the German administration promised to assist in the diversification of the sector, mainly through the introduction of more industrial crops such as oil seeds and animal fodder crops. Germany also promised to assist in the development of Romania's industry, particularly its tiny food processing sector.

Although it is clear that the longer term intention of the Germans was to draw Romania closer to the Third Reich, in the short term, as Roberts points out, the German authorities were very uncertain as to the political implications of the arrangement.⁶⁴

For Marczewski the trade relations with Nazi Germany were a direct consequence of the region's failure to tackle its economic backwardness:

.. there was no doubt that these countries had failed to solve their basic problems of agricultural overpopulation during the inter-war period and that such development as they accomplished between 1934 and 1938 was virtually entirely attributable to their inclusion in the economic sphere of the German Reich.⁶⁵

7. Conclusions

In terms of infant mortality, dietary deficiencies, levels of indebtedness, the Romanian peasant in the inter-war period had one of the lowest standards of living in eastern Europe.⁶⁶ It is tempting to lay the blame for this situation on the state and the ruling class in the aftermath of the Great War. Frightened by what they saw as

⁶² From 7 million in 1933 to 8 million tons in 1934. Roberts op cit. p. 176

⁶³ *ibid* p.214-222.

⁶⁴ Roberts quotes from a letter Hitler wrote to Mussolini in August 1939 where, following from the signing of the Nazi-Soviet pact, 'Romania is no longer in a situation to take part in a conflict against the Axis'. As Roberts notes a little further on, the whole concern of the German authorities in the early stages of the war was that Romania should not become entangled in military operations that would threaten her continued export of vegetable products and petroleum to the Reich. *ibid*.p.216.

⁶⁵ Quoted in Berend op. cit. p. 201

impending socialist revolution, they introduced a reform that only temporarily appeased the peasants' desire for land, and yet, they had neither the courage nor the conviction to bring in the reforms that would have allowed such a peasant-based sector to develop. Such reforms might, perhaps, have included the creation of an effective system of agricultural credit, attempts to reverse fragmentation of peasant holdings and the installation of a workable system of land registration. Instead, successive governments continued to insist that only industrialisation could solve the longer term problems of rural over-population.

In this account the collapse of the agricultural sector in the depression of the 1930s offers the clearest proof of the failure of successive governments to produce effective reform. The revenue from agriculture that could have bolstered industrial growth simply disappeared in the face of European protectionism. Among the casualties of this failure was democracy itself.

Whilst this version offers a partial explanation of inter-war agrarian problems, it may also be useful to bear in mind a contrasting version: namely, the view from the bottom up. As Verdery points out, in some ways, the depression was not an unmitigated disaster for the peasants. For one thing, in 1932 the government, in a response to the fall in agricultural prices, cancelled much of the debt that the poorest peasants owed to the previous landowners; for another, whilst some of their traditional markets were now inaccessible, new ones appeared.⁶⁷ The effects of what economists called the scissors gap,⁶⁸ that terrible index of town/country inequality, could always be lessened simply by withdrawing further from the mainstream economy and retreating into subsistence forms of production.

One example of a contemporaneous bottom-up approach to rural life was a scholarly interest in folk culture which focused on the lives of the peasants as actually lived. Instead of judging the village and its inhabitants according to their ability to fulfil the economic role assigned by the country's politicians, these academics sought to portray the spirituality and naturalism of the peasants' way of life. They examined the customs and laws of the peasantry, their care of the environment and their

⁶⁶ See Hugh Seton-Watson *Eastern Europe between the Wars 1918-41*. Hamden. Archon Books. 1962. pp. 75-122 especially at pp. 91-97.

⁶⁷ Katherine Verdery. *Transylvanian Villagers: Three Centuries of Political, Economic, and Ethnic Change*. Berkeley. University of California Press. 1983. pp. 307-320.

⁶⁸ This was where agricultural incomes rose at a slower rate to the prices of industrial and manufactured goods.

attentiveness to the seasons. Instead of viewing the landholding patterns as medieval and inefficient, for instance, they showed how every part of a farm might be put to use and how nothing need go to waste. With its emphasis on folklore and ecological soundness, this account was as partial as that which portrayed the country's politicians as the principal authors of the peasants' woes. Enthusiastic recorders of village culture, their surveys nonetheless glossed over many of the realities of rural squalor.

The political representation of the peasantry did change fundamentally during the inter-war period, yet, in the long run, it did little to create an economy that could sustain the rising population. In the interbellum years, the country's rulers rested upon the illusion that the system of agriculture they had created could maintain industrial-led growth. For a majority of the peasants, the corresponding illusion was that, even if there were more mouths to feed, the land would always be able to support them.

Chapter Four - Reconstruction and Reform, 1941-48

1. Introduction

The aim of this chapter is to examine the development of the agrarian question in Romania in the final years before the Communist take-over in 1948.¹ The focus is mainly on those measures introduced at the end of the war to redistribute rural land and encourage the reconstruction of war-torn Romania.

One objective throughout this work is to examine the practical consequences of the post-Communist debates concerning the Communist regime, in particular debates concerning its origins and its power base. In their time, the 'people's democracies' throughout central and eastern Europe organised a systematic rewriting of history to demonstrate how all previous social and national development had been leading to this point. During the Stalinist period, this included acknowledging the pivotal role of the Soviet Union in the liberation and the installation of socialism.²

As the Polish historian Jedlicki has argued, one consequence of the fall of the Communist regimes was that these countries were able to rediscover their 'lost' histories. As he puts it:

Nations are coming back into possession of their history, regaining their memory discovering their soldiers graves scattered all over the world, reconstructing their traditions, singing their sacred, long forbidden songs and unavoidably, creating new myths and legends in the process.³

Earlier, he argued that there was a tendency in post-Communist societies to construct 'historical parentheses' within which the entire Communist period could be

¹ The actual date of the creation of the Romanian People's Republic was 30th December 1947, the day upon which the King abdicated. The new constitution was not introduced until the following year, and is widely accepted by historians as the formal beginning of Communist rule. See Ionescu for an account of the last days of the kingdom. Ghita Ionescu. *Communism in Rumania 1944-1962*. London. Oxford University Press. 1964. pp. 141-143.

² Schopflin notes how Romanian historians were expected to insert Russian figures into key moments of the region's history, particularly those which displayed the heroism of the people in the face of the ruling class. The peasants' revolt in 1784 was thus rewritten to include the hitherto unknown role of a Russian officer, Mikhail Popenky 'who happened fortuitously to be on the spot to lend fraternal assistance to the benighted Romanians'. Schopflin op cit. p. 96.

³ Jerzy Jedlicki. 'The revolution of 1989: The unbearable burden of history'. *Problems of Communism* Volume 39 No. 4 39-48.

placed. In the case of Poland, it was as if the country had lived through Communism in a coma.

Another tendency in these debates was to resurrect the regimes prior to the Communists as national resources that could serve as sources of law or as models for the construction of new institutions, despite the fact that many of these were tainted with authoritarianism and fascism.⁴ I shall argue, in support of Jedlicki, that this rediscovery of national history had a powerful influence over the form and content of post-Communist policies and legislation. One source of conflict in this politics was that there were different accounts of pre-Communist history, some of which had a broader popular appeal than others. In the later chapters both the national context and some examples from the local context of this rewriting will be set out in more detail. Here, it will be noted that the eventual provisions of the 1991 land reform laws were based on a particular account of both Communist and pre-Communist history.

The Second World War and the post-war period were key focal points for these struggles over history. Many of the major themes of post-Communist politics are evident in discussions over the contemporary relevance of the war - the allocation of fault for the onset of Communism, the identification of resistance and the scope for revenge and reparation, for example. Understanding the settlement of the post-war land question is crucial in appreciating the direction of post Communist land reform.⁵ In the debates in the Romanian Parliament concerning the scope of restitution, the '45 law was accepted as the last legitimate land reform before collectivisation. In Jedlicki's terms, it was the point just before the coma began.

This chapter examines the implementation of this law, in particular the ways in which it was integrated into the wider programme of Communist revolution in Romania. In addition, there is also, once again, a question of discrimination against minorities in the provisions of the law. Both questions will be examined in detail in this chapter.

⁴ For more on the legal and political consequences of the resurrection of pre-Communist regimes see Pogany op cit.

⁵ For a comparative examination of the rectification of property abuses in central and eastern Europe, see Istvan Pogany. *Righting Wrongs in Eastern Europe*. Manchester. Manchester University Press. 1997

2. The war and the demise of Greater Romania

By the beginning of 1940, Romania had sided with neither the Allies nor the Axis powers. To the great irritation of the Germans, the royalist dictatorship of King Carol sought to prolong the country's neutrality for as long as possible. In April 1939, Premier Gafencu (slogan 'guaranteed by London, armed by Berlin') managed to secure assurances of support from both England and France. Given the dominance of Italy and Germany in the region, as Ionescu points out, Gafencu must have realised that this was little but a 'melancholy gesture'.⁶ In May 1940, Carol ended the uncertainty by entering into an oil pact with Hitler. Although his intention was to protect the territorial integrity of the country, it soon became clear that an alliance with Hitler alone would not guarantee this. Under the Nazi-Soviet pact of 1939, one of the protocols, which had remained secret, held that:

With regard to South-eastern Europe, attention is called by the Soviet side to its interests in Bessarabia. The German side declares its complete disinterestedness in these areas.⁷

On June 26th the Soviet Union gave Romania a twenty-four hour ultimatum to quit Bessarabia. Following the 'stern advice' of Ribbentrop, the Romanian government ceded the territory. Shortly after, Hitler imposed the second Vienna Award upon Romania, whereby the northern part of Transylvania, with around 45,000 square kilometres and one million people, reverted once more to Hungary. Carol's humiliation was compounded by the Treaty of Craiova, in which the southern part of Dobrogea was transferred to Bulgaria.⁸ Although Hitler sent in troops to protect the oil fields, Carol was thoroughly discredited and, in September, at the urging of the new premier Marshall Antonescu, Carol abdicated in favour of his son and fled the country.

The war-time record of Romania has been a controversial political issue. Despite his involvement in the war-time persecution of Romanian Jews, there have been attempts by nationalist parties to rehabilitate some of the pre-Communist leaders, including Marshall Antonescu. Until 1944, Romania's support for the Axis powers

⁶ Ionescu op cit. pp. 56-61.

⁷ U. S Dept of State. *Nazi-Soviet Relations 1939-41*. R. J. Sontag and J. S. Beddie (eds.) Washington. 1948. p. 78. Quoted in Ionescu op cit. p.59.

made a substantial contribution to the expansion of the Reich in Europe. Germany absorbed over two thirds of Romania's cereal exports between 1939 and 1944 and, in the first part of 1944, Germany bought 98.8% of the country's agricultural exports.⁹ The oil fields of Ploiesti were central to the ambition of Hitler and the Axis. Hitler was reported to have told his generals that 'the life of the Axis depends on those oil fields', and the Allies made several attempts to blow them up.

Romania's army played crucial supporting roles in the invasion of Russia, and in the later siege of Stalingrad. Like all the countries fighting in this area, Romanian losses were severe, whilst the destruction which they caused and the atrocities which they committed in white Russia were key to the Allies' post-war treatment of Romania. Apologists for Antonescu emphasise the degree to which his actions were motivated by a desire to save Romania from invasion or foreign enslavement. They have also highlighted the fact that, at least after 1943, Romania was a largely passive partner of the Nazis. Given the country's earlier dependence on German markets, the Marshall's supporters argue that it was inevitable that the country should prefer tactical alliances with the ascendant Reich to alliances with the western powers or, worse still, with the Soviet Union.¹⁰

As the fortunes of the Axis powers declined, following Stalingrad, certain leaders of the country, including the young King Michael, made overtures towards the Allied powers concerning a possible armistice. Fearing invasion by the Red army and in an attempt to limit the fighting that might take place on Romanian soil, the King organised a coup in August 1944. Antonescu was arrested, an armistice agreement was concluded with the Allies and, shortly after, Romania declared war on its former German ally.¹¹

Romania's contribution to the ending of the war in Europe was significant. Turnock estimates that the loss of oil and grain combined with the actions of the Romanian army in Hungary shortened the war in Europe by six months.¹² Nonetheless, the ensuing peace settlements did not reflect these actions to the extent that the

⁸ Berend op. cit. pp. 166-67.

⁹ Turnock. op cit. p. 159.

¹⁰ For example see Larry Watts. *Romanian Cassandra: Ion Antonescu and the struggle for reform 1916-1941*. Boulder: East European Monographs 1993, and Andreas Hillgruber. *Hitler, Regele Carol si Maresalul Antonescu*. Bucuresti. Humanitas. 1994.

¹¹ Ionescu op cit. pp. 83-86.

¹² Turnock op cit. p. 152.

country's rulers had hoped. Neither were the country's diplomats able to raise the spectre of Bolshevism as a reason for western support. In 1945, the presence of the Red Army in eastern and central Europe, combined with the unwillingness of the western allies to provoke Stalin, gave Romania's leaders very little room to manoeuvre.

3. The background to the 1945 land reform

The influence of the Soviet Union in the post-war reorganisation of Romania was both profound and complicated. In those parts of the country where there had been fighting, much of the ruling apparatus had disintegrated and the wealthier classes had fled. In regions such as Moldavia and southern Bukovina, the Red army assumed direct responsibility for public administration. In northern Transylvania, where fighting broke out in 1944-45 between Romanian nationalist 'Maniu Guards' and Hungarians, the Russian authorities took control of public order. It was the Soviets' *de facto* control over Romanian territory which allowed them to carry out Stalin's demands for reparations.

3.1. Population displacement in the war

In 1939 the Saxon and Swabian communities in Romania had become part of the 'Consolidation of Germanhood' programme. Himmler was charged by Hitler with organising the mass transfer of German groups living outside the Reich to colonise conquered territories. In all, just over 200,000 Germans were transferred between 1939-41, many to the annexed territories in Poland where they were given lands formerly owned by Jews or abandoned properties. Those who remained in Romania were encouraged to consider themselves as a part of the greater Reich. They were expected to adopt more German-sounding names, and to organise local National Socialist organisations. Young men were expected to enlist in the SS.¹³ Those who refused and who signed up with the Romanian army often had to suffer ill treatment from their fellow soldiers and officers. Despite such conditions there were still over 500,000 Germans from the Saxon and Swabian minorities living within the Romanian borders in 1944.

¹³ Schider op cit. Vol.III. pp. 55-62.

Between autumn 1944 and 1945, approximately 80,000 able bodied ethnic Germans were deported from Romania to the Soviet Union on the grounds that they were needed in the reconstruction of the USSR¹⁴. Throughout the country, the Red Army demanded a list of all Romanian Germans on the pretext that the latter were 'engaged in extensive espionage and were hindering the Russian war effort'. As an early form of reparation, all those aged between 16-40 were placed on trains and sent as far as Siberia, despite the fact that the Allied Protocol on reparations made no mention of drawing labour from German populations outside the Reich.¹⁵ The greatest number of deportations took place in Transylvania, particularly in the southern region. According to the study conducted into the fate of the Volksdeutsch by the German Federal Ministry 'the proportion of losses reached almost 15%, i.e. more than 10,000 did not return. Of those who did come back, almost 50% moved to Germany or Austria'.¹⁶ The land reform that was introduced in the following year made great use of this 'abandoned' land. Roberts estimated that nine tenths of all confiscations of properties took place in Transylvania:

undoubtedly a high percentage of the Germans had been actively pro-Nazi ..[but in any case].. the Soviet order paid no attention to such criteria.¹⁷

Ethnic Germans were not the only group displaced during the war. In addition to the 200,000 Germans who moved to Germany, between 1940 and 1943, 375,000 Romanian Jews were deported to the concentration camps or forced to flee to refuge abroad. Approximately 177,000 ethnic Hungarians and 61,000

¹⁴ In January 1945 there was a frantic attempt by the Romanian Foreign Minister to persuade the American Representative to stop the deportations. A number of strongly worded diplomatic messages were dispatched by the American Representative to General Vinogradov, Deputy Chairman of the Allied Control Commission for Romania, pointing out that the question of Romanian-Germans being used as war reparations was a matter between Russia and Germany, not Romania. Even though by this stage in the war the alliance was beginning to reveal its cracks, the massive presence of the Red Army in Romania made it certain that the American protest would not go any further. See *Foreign Relations* Volume 2 pp. 1238-1245. U.S. Department of State. Washington. 1945.

¹⁵ For the full text of the Romanian ambassadors complaints to the US ambassador and the latter's response see, *Foreign Relations of the US*. 1945 Vol. 2 at pp. 1238-45. For the Protocol on German Reparations see pp. 982-3 of the same volume.

¹⁶ The most comprehensive recording of the fate of the Volksdeutsch throughout East-Central Europe during and following the war is the collection organised by the Federal Ministry for Expellees, Refugees and War Victims under the leadership of Professor Theodor Schieder. The series is called *Dokumentation der Vertreibung der Deutschen aus Ost-Mitteleuropa* and it was first published in 1953 in Bonn. Volume Three was *The Fate of the Germans in Rumania*, and was published in English in 1963. It documents the experiences of the German communities in Romania and subsequently in the labour camps of the USSR.

¹⁷ Roberts op.cit. p. 297.

ethnic Bulgarians were forcibly displaced from their homes.¹⁸ For some of these groups, post-war conditions were such that many never returned to Romania. The Bulgarians from southern Dobrogea once again became Bulgarian rather than Romanian nationals. Many of the Jews who had lived in the country had been killed in the Holocaust, or had fled to other parts of Europe or the middle east.¹⁹ Although the experience of the Gypsies in Romania has not been recorded in the same detail as that of other groups, it is clear that many of the victims of the Romanian concentration camps in the short-lived Republic of Transnistria, north of Bessarabia in Soviet territory, were Gypsies. Official estimates put the numbers of gypsies killed in the Holocaust in Romania as around 36,000 or 12% of the pre war population.²⁰

For the leaders appointed by the King after the August coup, the greatest imperative was to rebuild the shattered economy as quickly as possible. The expulsion of the German minority had given an indication of what post-war Soviet demands might be, and under Article 10 of the armistice, the Red Army had to be provided for from local resources whilst they were occupying the country.²¹ Roberts, travelling throughout Romania in 1944-45, observed how the peasants in areas controlled by the Red Army were encouraged to seize the land of absenteeists and to organise themselves into local popular councils. As Wadekin points out, these 'events' were prevalent throughout newly liberated eastern and central Europe. In neighbouring Hungary, for example, where land tenure had been characterised by massive estates owned by aristocrats, the peasants needed little encouragement from the occupiers. Swain notes that:

by the time the provisional government passed its land reform on 15 March 1945 in many areas this was recognition of a fait accompli: the peasants had seized the land.²²

¹⁸ See Malcolm J. Proudfoot. *European Refugees: 1939-52 - A Study in Forced Population Movement*. London. Faber and Faber. 1957. pp. 42-44.

¹⁹ For a detailed account of the organisations that enabled many Romanian Jews to escape the camps and the changing policies of the Antonescu regime see Dalia Ofer *Escaping the Holocaust - Illegal Immigration to the Land of Israel 1939-45*. Oxford. Oxford University Press. 1990.

²⁰ On what is referred to as 'The Devouring' amongst Gypsies, see Isabel Fonseca. *Bury me Standing - The Gypsies and their Journey*. London. Chatto and Windus. 1995. pp. 241-278.

²¹ On how the Soviet forces interpreted these and other reparations provisions, see Maurice Pearton. 'The Communisation of the economy: Efforts to promote and control economic chaos'. in *6 martie 1945 - Incepturile Comunizarii Romaniei*. Bucuresti. Editura Enciclopedia. 1995.

²² Nigel Swain. *Hungary - The rise and fall of feasible socialism*. London. Verso. 1992.

Even though Wadekin points out that in most cases of 'spontaneous' land seizure, there was very little attempt made to register the names of the new owners, it was unlikely that many who returned to Romania after the war would have been able to reclaim ownership.²³

3. 2. Political struggles and food supply in the immediate post-war period

The prospects for the development of economically productive farms in Romania in the immediate post-war period could not have been more difficult. The gradual increases in production levels and yields so characteristic of the late 1930s had been almost totally wiped out during the war. Wheat production dropped from 44.5 million tonnes in 1939 to just over 10.6 million tonnes in 1945, while maize production fell from a record 60.5 million tonnes in 1939 to just under 11 million in 1945. For each of the main cereal crops grown - wheat, barley, oats and rye- average yields per hectare were amongst the lowest in Europe. Whereas in 1945 the United Kingdom had an average yield of wheat of 2400 kg per hectare, Romania produced an average of 560 kg of wheat per hectare.²⁴

Documents recently released of discussions within the governing Democratic Front, show how ministers were desperate to guarantee the food supply to urban areas. Their fear was that any formal redistribution of land would delay seeding, particularly in those areas where the land was already unworked. The social democrat minister Serban Voinea proposed that all unworked land could be immediately let to those who could show that they could work it. Only after this programme had been operating for six weeks would any expropriations of land take place.²⁵

The land reform was a key issue in the political struggle between the Peasant Party and the Communists and their fellow travellers. Both proposed a programme of land redistribution, with the poorer peasants being the primary beneficiaries. It was on the means for achieving this that their programmes

²³ Karl Eugen Wadekin. *Agrarian Policies in Communist Europe: A Critical Introduction*. The Hague. Allandheld. Osmun. 1983. p.34.

²⁴ Statistics from the *International Yearbook of Agricultural Statistics 1941-42 to 1945-46*. Volume One. International Institute of Agriculture. Rome. 1947.

diverged. The Communists favoured wide scale confiscation of the land belonging to traitors and collaborators, and of other more ideological enemies such as absentee landowners and those who owned above 50 hectares of land. Given the dire state of the country's economy and the need to begin the recovery, entitlement to compensation would be extremely limited. The Peasant Party, on the other hand, favoured more selective confiscation and expropriations with a broader package of compensation.²⁶

The backing of the Soviet Union gave the Communists and their fellow travellers the edge, and in March 1945 a second coup d'état took place. At the insistence of the Soviet delegation in Bucharest, premier Radescu was forced to resign and the King obliged to appoint Dr Petru Groza, the leader of the radical peasants' party, the Ploughman's Front.²⁷ Though the Communists were still in the minority, they could count on the support of the other social democrats and socialist ministers. The Ploughman's Front likewise could be relied upon to support the programme of the Communists.²⁸ The other political parties were slow in realising the extent to which their traditional support had been eroded by war or discredited through contact with the fascist parties of the recent past. Maniu, the leader of the largest opposition party, the Peasants Party, is accused by some historians of political naiveté for relying on the guarantees and assurances of the western allies.²⁹

3.3. Anti-German provisions in the land reform

The land reform introduced in March 1945 bore a remarkable resemblance to other east European land reforms introduced in 1945. With the exception of the size of properties to be confiscated, land reforms introduced in Soviet-occupied areas contained many similar and even, on occasions, identical provisions, one

²⁵ Governing programme of the National Democratic Front - January 29th 1945. *Romania Viata Politica in Documente 1945*. I. Scurtu (ed.). Bucuresti. Arhivele Statului din Romania. 1994.

²⁶ The full text of this law can be found in the *Romania Viata Politica in Documente 1945* op cit. p. 124.

²⁷ For more details on the events surrounding the appointment of Groza see Ionescu op cit. pp. 107-110.

²⁸ The Ploughman's Front was a radical peasant party that was formed in 1934 in Deva. As Seton-Watson wrote its inclusion in the national government led to its transformation

As it spread to new regions, it became dependent on people who knew nothing of its former aims and struggles. It tended to rally only the village malcontents, willing to follow any demagogic slogan, the same people who earlier had formed the rural support of the Iron Guard. For its organisation it depended on communists, and its leadership was filled with avowed or concealed communists, many of whom were not only not peasants, but had little interest in peasants. It became, and was generally regarded as, the rural branch of the Communist party

Hugh Seton-Watson. *The East European Revolutions*. 3rd edition. Boulder. Westview Press. 1985. p. 204.

of which was the election of landless and poor peasants to the local committees which drew up the lists of land to be confiscated.³⁰

In the 1918-21 land reforms, the Romanian government had argued that the expropriation provisions were ethnically blind, and the disproportionate impact on the Hungarians in Transylvania simply reflected their position as owners of the largest estates.³¹ In the 1945 reform, the text of the law was explicit in its anti-German orientation, Article 3 providing for the expropriation of the lands of collaborators and enemies of the people. Though referring only to Romanian or ethnic German citizens who had collaborated with the enemy, the Act avoided expropriation based on collective guilt. Supplementary regulations provided for the expropriation of all the lands of those who belonged to the 'German Ethnic Group' in Romania. Schieder notes that:

As the decree concerning the Ethnic Group, issued by the Rumania government on 20 November 1940, had declared all Rumanian citizens of German ethnic membership to be members of the German Ethnic Group in Rumania, this definition amounted to the complete expropriation of all German peasants, irrespective of the size of their properties.³²

In addition, the Act provided for the confiscation of the land and properties of war criminals, of those who had fought against the United Nations, of those who fled to unfriendly countries, of those who had fled after the fall of Antonescu, of absenteeists who had not worked their land in the previous seven years and of individuals who owned in excess of 50 hectares. Exceptions were made for the land of the Church, for land of public institutions, for communally held land and for land belonging to 'model farms'. As Coisan notes in his study of the implementation of the Act in Satu Mare country, the breadth and 'elastic' nature

²⁹ Schopflin op cit. p. 62-63.

³⁰ Roberts op cit. p.300.

³¹ For the debates and accusations that took place in the early 1920s at the League of Nations see *Minoritatile Nationale din Romania 1918-1925 Documente*. Ioan Scurtu and Liviu Boar (eds.) Bucuresti. Arhivele Statului din Romania. 1995 especially pp. 312-36.

³² The most comprehensive recording of the fate of the Volksdeutsch throughout East-Central Europe during and following the war is the collection organised by the Federal Ministry for Expellees, Refugees and War Victims under the leadership of Professor Theodor Schieder. The series is called *Dokumentation der Vertreibung der Deutschen aus Ost-Mitteleuropa* and it was first published in 1953 in Bonn. Volume Three was *The Fate of the Germans in Rumania*, and was published in English in 1963. It documents the experiences of the German communities in

of some of these categories allowed for both local score settling as well as external manipulation.³³

The committees set up to organise the redistribution of land accelerated the beginning of social revolution in the countryside. Not only did they act as a kind of post-war truth committee, passing judgement on the wartime actions of neighbours, Article 12 of the Decree required that 'preference be given to those soldiers who have been mobilised or called up and to all those who have fought against Hitlerite Germany', even if this should include members of the committee. In certain parts of the country, no doubt, it was possible for those who had been forced to sell the land they had received under the 1921 reforms to re-acquire it from the same peasant who had bought it. It was also usual for the land committees or the local agrarian authorities to have at least one member who could 'represent' the interests of the workers and the workers' party. Tanasescu describes how agitators for the Communist Party or the Ploughman's Front 'assisted' the local committees by providing them with lists of properties that should be confiscated or expropriated.³⁴

Schopflin ties this into a wider analysis of the tactics of the Communist take-over:

Wherever there was an institution with power, the Communists sought to ensure that they would, as far as was possible, control it, and control in this context was to be interpreted as being to their advantage.³⁵

At that time, the Romanian Communist Party was one of the smallest in the entire region, with a membership in 1944 of around 1000 people. Its leaders were unknown and its influence was limited to the urban areas. The effectiveness of the Party agitators lay in their ability to exploit the turbulence of the post-war period; for instance, the Communists frequently recruited those who had formerly supported the Iron Guard, often using them to disrupt public meetings of parties hostile to them.³⁶

Romania and subsequently in the labour camps of the USSR. Scheider, Volume 3 op cit. p. 89. The supplementary regulations no. 4/1945 can also be found here pp. 156-164.

³³ See Florin Coisan, *Mecanisme ale instaurarii Comunismului in Romania. Reforma agrara din 1945. Studiu de caz. Judetul Satu Mare*. Unpublished thesis. Institute of History and Philosophy. University 'Babes-Bolyai' Cluj-Napoca. 1996. p.68, and Victor Frunza. *Istoria Stalinismului in Romania*. Bucuresti. Humanitas. 1990. p. 198.

³⁴ Bogdan Tanasescu. *Colectivizarea intre propaganda si realitate*. Bucuresti. Globus. 1992. p. 7.

³⁵ Schopflin op cit. p.64.

³⁶ In a report on the setting up of a collective farm in Razoare in the Somes region of Transylvania, the delegate sent to organise the first stages complained that the organisation of the local Party had been greatly compromised by its

Ionescu shows how all parts of the land reform were used to enhance the status of the Communists amongst the peasantry. 'In 1945,' he wrote, '100,000 peasants .. received the card together with the land'.³⁷ Coisan describes how the distribution of the new legal titles was used as an occasion to hold 'festivals' celebrating the actions of the government. In Satu Mare, for example, the titles were distributed by the Premier, Dr Petru Groza, himself in a ceremony organised the month before the elections in 1947.³⁸

As with previous land reforms, the redistribution favoured war veterans and the poor peasants. A list of priorities was established, headed by those 'cultivators who had been mobilised in the anti-Hitler war', followed by the families of war dead, the landless, the agricultural labourers and finally the smallholders. The vast majority of land distributed was confiscated rather than expropriated. Only those who had previously owned over 50 hectares and whose property had been reduced to 50 hectares received compensation. There was a payment that needed to be made to the state by those benefiting from the reforms, but this could be in the form of either cash or produce, and could be spread over 20 to 30 years.³⁹

5. The creation of marginal holdings: peasants into workers

During the inter-war period there had been a steady increase in the number of medium and larger holdings, mainly at the expense of the smaller holdings which had been created in the 1918-21 reforms. Farms over 50 hectares had increased in number, occupying 19% of the total amount of arable land. If this group is combined with those farms over 10 hectares, then the proportion of the total rises to almost 40%. It was these farms that constituted the great mass of land acquired under the provisions of the law. The structural shift in ownership

links to the local legionary movement. Comitetul Regional Partidul Muncitoresc in Romania Cluj. Raionul Somes. Dosar 965. Fondul 5 1949. The indiscriminate nature of the recruitment drive was used as a means to discredit its organiser, Ana Pauker in the purges that marked the ascendancy and consolidation of the leadership of Gheorghe Gheorghiu-Dej. Her fall from favour has been well documented for instance in Ionescu op cit. pp. 208-15. The episode has benefited from the opening up of the state archives and for a reassessment of the politics of the purge of Luca, Pauker and Georgescu see Robin Levy 'The right wing deviation of Ana Pauker' *Communist and Post-Communist Studies* Vol.28 No.2 239-254. 1996.

³⁷ Ionescu op.cit p. 119.

³⁸ *ibid.* pp. 74-75

³⁹ Payments were calculated according to the average rent in the region and the average yield per hectare of the land received. Paid directly to the Ministry of Agriculture and depending on whether the recipient of land was landless or in possession of a small amount of land, payments could be spread over 30 or 20 years respectively. In 1950, the system was cancelled.

to the advantage of the smallholder was evident in the statistics collected under the census of 1948. Over half the arable land in the country was located in farms of less than five hectares in size. Those over ten hectares now accounted for less than a fifth of the country's arable land.⁴⁰

The authors of the Institute of Statistics who conducted the 1948 census were in no doubt about the future economic viability of the land distribution:

If 3 hectares represent the general minimum land estate necessary for the maintenance in agriculture of an exploitation [holding] comprised of four persons, then more than one half of the agricultural exploitations of Romania do not reach this level and are compelled to resort to some side-line income to reduce their needs.⁴¹

By 1947 almost 1.5 million hectares had been confiscated or expropriated. Over 1 million hectares had been distributed to just under 800,000 peasants with the average plot being 1.3 hectares. Over 200,000 applications were rejected.⁴² The creation of such an enormous number of small farms has led some to see the reform as being connected with the larger project of rapid industrialisation. Kideckel, for instance, sees the reform as a means to appease the small peasants before the big push for industrial growth and collectivisation of land.⁴³ Those who in the 1930s had migrated to the cities in search of work were now required to stay in the urban areas on a more permanent basis. Verdery argues that unlike the traditional parties, the Communists did not start from the premise that Romania was an agricultural country that would slowly create its own industrial sector. Modernisation based upon heavy industry was the solution to the country's under-development. The problem of rural over-population could be solved by converting the peasants into workers, and ending their dependency on the land:

⁴⁰ Ionescu op cit. p. 112

⁴¹ Anton Golopentia and D. C. Georgescu. *Populatia Republicii Populare Romane la 25 Ianuarie 1948; Rezultatele provizorii ale recensamantului [de] A. Golopentia si D. C. Georgescu.* Bucuresti. Inst. central de statistica. 1948. p.18.

⁴² See D. Sandru. 'Proprietatea funciara rurala din Romania de la reforma agrara din 1945 pina la colectivizarea agriculturii (II)'. *Anuarul - Institutului de Istorie 'A.D.Xenopol'* Vol. 28 1991, 143-162 at 160.

⁴³ David A. Kideckel. *The Solitude of Collectivism: Romanian Villagers to the Revolution and beyond.* Ithaca and London. Cornell University Press. 1993. p. 82.

Whereas peasants had occasionally used industrial employment to remain within agriculture, they would come to use agriculture as a supplement to industrial wages.⁴⁴

6. State control over private land

Article One of the 1945 land reform law declared that::

Agrarian reform is a national, economic, and social necessity for our country. Rumanian agriculture should be based upon sound and productive farms, which are the private property of those who cultivate them.⁴⁵

At least in the public pronouncements of the Communist Party, there was no question of the peasants being forced to relinquish their traditional mastery of the land. It is possible however, to see in state policy and in the provisions of the law, the beginnings of a distinct attitude to the rural economy. The peasants' ownership of land had not been directly challenged, yet their control over the means and fruits of production had. In the same way as in previous land laws, the '45 reform specified that recipients of land were barred from selling, dividing, leasing or mortgaging their lands unless they had the prior written permission of the Ministry of Agriculture.⁴⁶ As in other land redistribution programmes, there were probably many peasants who sold the land as soon as they received it. The difference in the post-war environment, though, was that the central state institutions now had greater power to monitor the observance of such rules. The Ministry of Agriculture, for instance, required not only that the local *notar* supply it with details of all new plots, but also with details of what land was being used for cultivation and what land remained unused.

From 1944 onwards, what Brus terms a process of 'étatization' of the economy began. In line with other countries in the region, the response of the government to the demands of reconstruction and reparations was to assume control over the economy. Alongside widespread nationalisation of industry, the government aimed at securing complete control over the supply and distribution

⁴⁴ Verdery op cit. p. 336.

⁴⁵ *Documente.. 1945* op cit. p.184.

⁴⁶ See Roberts op cit. p. 295

of agricultural produce. In July 1945, Decree law 565 gave the state the authority to become the sole official buyer of agricultural produce whilst, in the previous month, 'economic sabotage' and speculation were established as criminal offences⁴⁷ Following a decision by the President of the Council of Ministers, Dr. Petru Groza, each cereal farmer was obliged to deliver a portion of his harvest to the National Co-operative Institute at state determined prices.⁴⁸ Agricultural production from this point on became the subject of great campaigns - campaigns to prepare for seeding, for harvesting and for winter. As a prelude of things to come, the campaigns themselves enlisted the labour of great numbers of volunteers and Party activists from the towns and cities. The regime of compulsory quotas was halted in 1946, although the peasants were still obliged to give over a proportion of their harvest in the form of agricultural income tax. Not only was this calculated according to the size of the individual holding and the average regional yield, but it was also calculated on a progressive scale. Private production was squeezed further by the fact that the state set the prices for agricultural products which were, according to Tanasescu, below the market rate. For Kideckel, private production in this period was undermined by a combination of 'push and pull', pushing those marginal producers whose contribution to overall supplies was minimal away from agriculture and pulling them towards industrial employment.⁴⁹

Whereas in the inter-war period the state encouraged mechanisation by making cheap credit more widely available, in the immediate post war period it simply confiscated the agricultural machinery of 'traitors', 'collaborators', as well as from properties that had been abandoned. Machine Tractor Stations (MTS) was created with drivers employed directly by the state. These centres provided machinery and drivers for ploughing, threshing etc. as well as giving technical advice on the development of crop rotation, use of fertiliser and stronger seeds. Although they undoubtedly increased access to labour-saving machinery, their introduction also meant the extension of the power of the state in the rural areas at the expense of the peasants' traditional independence. For instance, obtaining the services of the MTS required peasants to form associations and

⁴⁷ Decree law 351 in Monitorul Oficial 101, 3 May 1945. (Hereinafter MO)

⁴⁸ The first quotas were brought in against cereals with provision being made for the extension of this list by order of the Council of Ministers - DPCM 2339 in MO 161 19 July 1945. The following week the Agricultural Minister secured from the Council the authority to compel those delivering harvest to also bring a portion of their seed. DMAD 2363 in MO 167/26 July 1945.

to make group contracts for yearly terms. It was a condition of such contracts that traditional boundaries between the land of owners in the association were removed to enable the tractors to work larger surface areas. After 1947, the MTSs were given the monopoly over the hiring out of machinery, all remaining private machines being transferred to them. For every harvest for which they were hired by an association, the operators of the tractors, threshing machines etc. were obliged to record the exact yields, making the information available to the local Committee for the Collection of Quotas. Their role as informants and agitators is clear from MTS' annual reports, where there are repeated references to the importance of political education and vigilance in the face of 'enemy' activities.⁵⁰

One of the main forces driving this process of 'étatization' was the terms of the armistice. As we have seen, the Red Army's presence ensured that Stalin was able to exact immediate and comprehensive claims over the Romanian economy. The 'sovietisation' of the economy took many forms, the most notorious being the joint stock companies that were set up between Romanian firms and Soviet departments. They were exempt from state taxes and gave the Soviets direct access to Romania's rich natural resources. The Romanian partner's shares in the profits from these enterprises were taken directly as reparations payments. As Ionescu put it 'this exploitation was so blatant that it soon became common knowledge, no matter how much the Communist press tried to gloss over the fact'.⁵¹

Despite the protestations of even certain senior members of the Romanian Communist Party, Stalin demanded that Romania pay war compensation amounting to \$300 million, to be paid in cash and in kind. In the agricultural sector, this translated in 1945 as one million tonnes of cereals, 300,000 head of livestock and 60,000 tonnes of other produce. Article 11 provided that this had to be paid within six years. Some illustration of the misery of the post-war economy is found in the reports of starvation in Moldavia in the first year after the war. In an effort to stave off the potential crisis that famine might cause, the government was eventually forced, in January 1947, to accept supplies from

⁴⁹ Kideckel op cit. pp. 80-82.

⁵⁰ See Tanasescu op. cit. pp. 13-14.

⁵¹ Ionescu op cit. p. 113.

the United States to help feed the population.⁵² In addition, in both 1946 and 1947, the Soviet Union exported grain to Romania.

7. Broken promises: the failure of restitution

The final point which needs to be noted about the post-war land reform is the general failure of the government to honour its legal obligations towards the Romanian Jewish population. Whilst the Iron Guard had had influence over the government in 1940-41, Jewish rural property had been forcibly acquired by the state with only the barest amount of compensation.⁵³ Similarly in the urban areas there was extensive confiscation of Jewish properties and businesses. Romania was obliged under the terms of the peace settlements to organise the restitution of land and property to those who had been discriminated against.⁵⁴ A provisional law on restitution was introduced in December 1944 yet, as the Institute of Jewish Affairs reported, 'once the Communists were completely in control, the restitution provisions became inoperative or difficult to implement'.⁵⁵ Implementation was complicated by the massive displacement of people that had taken place, and in many places there was a bureaucratic unwillingness to expend too much resources on the search for missing landowners. Many of the country's surviving Jews had already left the country, and many more had been killed in the Holocaust.⁵⁶

It is this question of the treatment of the country's minorities that raises difficult questions about the use of the 1945 reforms as a base mark. Both the Germans and the Jews had lived in Romania for hundreds of years and yet, in the space of five years, hundreds of thousands had been dispossessed and forced from the country. The land that they had left behind was distributed

⁵² Ioan Scurtu (ed.) *Romania - Viata Politca in Documente 1947*. Bucaresti. Arhivele Statului din Romania. 1994 pp. 76-77.

⁵³ The law on the confiscation of Jewish agricultural property was enacted on October 5th 1940. For more details on the war-time experiences of the Romanian Jews see Raul Hilberg's *The Destruction of the European Jews*. W. H. Allen. London. 1961. Hilberg especially at pp. 738-47.

⁵⁴ Article 25 of the Paris Peace Treaty stipulated that "where the property, legal rights or interests in Roumania of persons under Romanian jurisdiction have since September 1, 1939, been the subject of measures of sequestration, confiscation or control on account of the racial origin or religion of such persons, the said property, legal rights and interests shall be restored together with their accessories, or if restoration is impossible, that fair compensation shall be made therefore." Institute of Jewish Affairs. *Jewish Restitution and Compensation Claims in Eastern Europe and the Former USSR*. Research Report No. 2. London. 1993.

⁵⁵ *ibid.* p. 8.

⁵⁶ There were international agreements concluded in the 1960s to facilitate compensation claims at least by Holocaust survivors, but these, according to the researchers at the Institute of Jewish Affairs, were considered matters of 'humanitarian aid' rather than compensation for violations of property rights.

amongst the poorer peasants. When many of the Germans returned in the latter parts of the decade, they were homeless and landless. Some authorities did give them small amounts of land to work, and in some places they were even allowed to reclaim part of their property. Many were encouraged to move on to West Germany, a measure that continued throughout the Communist period. By 1960 the Romanian German population had shrunk from a pre war figure of 750,000 to just 100,000.

8. Conclusions

The immediate post-war period caused a further dramatic upheaval in the traditional society of the village. Though the land reform appeared to be another attempt by national political parties to appease the peasants by offering them land, it was clear that this time, the state did not envisage that these new farms would be able to supply the country's agricultural needs. Instead, the period saw the beginning of state domination over the land of the peasant. Peasant ownership was maintained, but effective control passed to those organising the various agricultural campaigns.

For that part of the peasantry which had depended upon marginally productive plots to sustain increasing numbers, the temptation for many was to sell the land and move to the cities to look for work. Their small plots could be kept for weekend working. As Verdery describes, this was a reversal of the traditional relation between peasant and town, and marks the beginning of the creation of a new class - the peasant-worker. Despite the urbanist fantasies of the Party, Romania, like its neighbours, was still an agricultural economy. In Hungary, 50% depended on agriculture, while in both Bulgaria and Romania the proportion was over 70%.

For another significant part of the peasantry, though, ownership of land still signified a man's status, wealth and independence. There is a danger of exaggerating the case with the '45 reform, viewing it simply as a precursor to collectivisation and little more than a means of safeguarding the food supply and attracting recruits to the Democratic Front. However, as will be seen in the next chapter, the destruction of the traditional political parties did not coincide

with the submission of the peasants to the Communists. Throughout the country, the authority's programme of forced collectivisation was fought until the 1960s.

Chapter Five - The Collectivisation of Ownership and Production, 1948-62

1. Introduction

Collectivisation was the most radical of successive approaches to Romania's land and agrarian problems. It was part of an ideology which rejected the failure of state reforms due to the pressure of custom or the international market. Instead of accepting, as the peasant agriculture minister Garoflid had, that something like the consolidation of land holdings was necessary but fraught with too many dangers, the Communist authorities simply made it happen. Thirteen years after it was started General Secretary Gheorghe Gheorghiu-Dej announced that the campaign was over and collectivisation had been achieved. Socialist relations of ownership and production had been created and a new era in the history of the country could begin.

The main focus of this chapter is on the methods which were used to collectivise and nationalise rural property.¹ Although there were many later programmes that had a profound impact on the rural economy, this chapter is limited to the campaign years themselves. The intention is to consider the approach to post-Communist reforms offered by Frederic Pryor. He argues that in certain contexts collectivisation is irreversible and attempts to 'reverse' it would fail.² Determining what is the relevant context requires consideration of the infrastructure created for the agricultural sector, of the current state of the rural population, of the economic role which the sector now has in the domestic and national economies and, finally, of the powers of the different interest groups directly affected by radical reforms. Pryor contends that a collectivist agricultural system may, for the time being at least, be irreversible because of the costs of decollectivisation. Moreover, in many parts of east and central Europe the old owners are dead and their children have left the villages.

This chapter explores some of the legal difficulties involved in de-collectivising Romanian agricultural holdings. Although it is quite possible to reverse collectivisation simply by annulment of all the enabling laws, one must ask what the practical steps would be in order to achieve that outcome and, whether it would be

¹ The difference between the two is primarily in terms of who was the notional legal 'owner' and what rights they had over the land. In collective farms, the legal fiction was maintained that each of the peasant members of the farm was in fact still the primary owner, he had merely ceded some of his use and disposition rights to the collective, represented by the farm's general assembly. In nationalised farms, no such fiction was maintained and the employees were simply state workers of land owned by the 'people'.

² Frederic LeRoy Pryor. *The red and the green: the rise and fall of collectivized agriculture in Marxist regimes*. Princeton N.J. ;Oxford: Princeton University Press. 1992.

possible to put individuals in the position that they were in before? The chapter, which is based on primary and secondary sources, categorises the different ways in which land passed from private control to state and collective control.

2. Antecedents: the beginnings of collectivisation

On the 7th March 1945, one day after the appointment of Dr Petru Groza as Premier, a meeting of high level Communist Party officials was held to discuss longer term strategy. The main conclusions of the meeting were transmitted to the western powers by an agent of the American Office of Strategic Services. In rural areas, the tactics were clear - the confiscation of the lands of the largest landowners, the dismantling of the small peasant farms and the creation of a 'collective system'.³ The model of the 'peasant' economy which had been developing since the end of the Great War was abandoned. In its place, the Party promised rapid modernisation of the agricultural sector, supported by equally rapid domestic industrialisation. The aim was to raise crop yields, thereby improving living standards and using the revenues to construct socialism.

As shown in the previous chapter, the first 'cycle' of agricultural transformation, covering approximately the period 1945-48, appeared to operate in reverse. The post-war division of land increased the number of inefficient small-holdings by around 400,000. Many of the more productive medium-sized farms, the 'natural' allies of the working class, were broken up by this post-war land reform. This shift in policy can be explained by the demands of reparations and reconstruction, as well as by the need of the Communist Party to consolidate its own political power. Once the burden of compensation to the Soviets was reduced and once organised political opposition was subdued in the urban areas, there was no reason why collectivisation could not begin.

Indeed, as with the other countries in east and central Europe, Romania's leaders were careful to ensure that their own construction of socialism did not deviate too far from that set down by the first socialist state, the USSR.⁴ As the Soviet representative to the Cominform put it in 1948, their road to socialism was simply the

³ See 'March 7th 1945 - Romanian Communisation programme plan transmitted by an OSS agent', in *Romania - Viata Politica in Documente 1945*. Coordonator Iona Scurtu. Arhivele Statului din Romania. Bucuresti. 1994

⁴ Not only were Soviet advisors and observers stationed throughout the region, many top officials were frequently called to Moscow to discuss tactics and plans in more detail. The flux in these top positions at this time and the regular purges that were taking place meant that, for some of these officials, the journey was only one way. See Schopflin op cit. pp. 75-103.

'model for all'.⁵ Wadekin believes that from 1948, it was possible to identify a 'race' taking place amongst the counties of the eastern bloc as to which of them could achieve the socialisation of agriculture first.⁶ Though there was considerable variation in practice in the manner of collectivisation, Soviet approval and disapproval remained a powerful influence. In 1958, for example General-Secretary Krushchev's omission of Romania from the list of countries to be praised for their agrarian reforms, reputedly played a major role in the decision to force through the final wave of collectivisation in 1958-59.⁷

Perhaps more importantly, though, the peasants' customary 'attachment' to the land and private production was seen by the Party as one of the greatest obstacles to the construction of socialism. In March 1949 the Romanian General-Secretary Gheorghiu-Dej spoke of the 'incompatibility' of the victory of socialism with the presence of so many private producers. Their commitment to primitive, non-scientific methods of production meant that they simply could not guarantee sufficient produce for the new working class and, in a speech in October 1948, he warned of the dangers of uneven development:

We have in the villages an ocean of small individual farms [over 3 million], which after the celebrated saying of Lenin, generate capitalism, day after day, case by case, spontaneously and in proportion to their mass.⁸

The Party's fear of the peasantry was not without reason. There was a history of peasant uprisings stretching back to Horea's revolt in 1784.⁹ Even before collectivisation got under way, the only organised armed resistance to the regime came from bases in the rural areas, especially in the mountainous regions in Transylvania. Groups with names such as the Black One Hundred carried out guerrilla operations well into the late 1950s.¹⁰ Party files from the time demonstrate how the Communists were aware of the support many of the peasants gave to these groups and of how the peasants were waiting for the 'imminent invasion of an Anglo-

⁵ The delegate was Zhadanov, and the speech is quoted in Wadekin op cit. p.35.

⁶ On hindsight, it could be said that the race was abandoned once all the participants headed off in different directions.

⁷ The point is made by Turnock (1974) op cit. p.183.

⁸ Scinteia, No. 1238, October 1st 1948.

⁹ See Durandin op cit. pp.62-64.

¹⁰ According to Mihai Gherman whose mother occasionally gave refuge to these fighters, the great majority of the groups fighting in Transylvania abandoned the armed struggle in 1956 following the non intervention of the western allies in the Hungarian uprising. Interview with author. Cluj-Napoca August 1996.

American force that would evict the Russians, restore the King and imprison the godless Communist leaders'.¹¹

Nevertheless, unlike other attempts to reorganise agriculture, the Communists were prepared to use all the might of the state, including the army, to force through their reforms. In the propaganda of the time, the peasants' free, voluntary entry into the new farms was proclaimed as paramount. The actual course of the campaign was fitful, brutal and in many respects unsuccessful. After only 18 months it had almost ground to a complete halt, and over the next ten years there were a series of 'slowdowns', 'new courses' and 'softer lines'.¹² Many thousands of people had been imprisoned or deported, and in certain regions, near civil war had broken out. Each renewal of the campaign brought with it 'pitched battles', the kidnapping of officials, arson attacks on state property, sieges of whole villages and repeated recourse to the army and the security forces.¹³

Officially, the campaign began in March 1949 following a resolution of the Central Committee of the Romanian Worker's Party.¹⁴ The propaganda spoke of an 'uninterrupted war' between the working class and the small peasant, on the one 'side', against the 'enemies' of the people, the exploiting 'odious and shrewd' *chiaburi*, on the other.¹⁵ From this point on the countryside was made up of 'allies', 'saboteurs', 'victories' and 'reprisals'.¹⁶

¹¹ Comitetul Regional Cluj PMR Dosar 1447/68 Fondul 7 1948. By 1950, it seemed to many in the countryside that the Americans and the British were not in fact going to invade and liberate Romania. Those who refused to give up hope offered a simple explanation for the Allies' lateness: It was a long way to walk from America to Romania. Interview with Ovidiu Alexandru. Cluj-Napoca September 1996.

¹² The second slowdown in 1953 coincided with a number of significant external events, the most prominent being the death of Stalin. Peasant uprisings in Poland and plummeting production in Yugoslavia and Hungary caused the abandonment of the project altogether in the first two counties, whilst many of the more unsuccessful collective farms in Hungary were liquidated and the land returned to the peasants. In Romania in that year, the number of households within collective farms dropped from 280,000 to 271,000. By 1958 the entire collective sector only amounted to 17.5% of the country's total arable surface area, notwithstanding the start of a harsher line towards the peasants following the Second Party Congress in 1955. John Michael Montias *Economic Development in Communist Romania*. Cambridge. Massachusetts. MIT Press. 1967. p. 91.

¹³ The history of peasant resistance to collectivisation has only recently become more widely known. Though at the time, it was not possible altogether to deny the widespread hostility that was caused by the campaign, the extent of the rebellions and the ways in which they were put down were less well known. The best source to date concerning peasant resistance to collectivisation is the report commissioned by the Romanian House of Deputies into abuses committed during the period of collectivisation 1949-1962. It drew on a wide range of sources in its attempt to document the experience of collectivisation throughout the country, providing invaluable material on the revolts, sabotages and deportations that took place in this period. *Dosarul - Colectivizarii Agriculturii in Romania 1949-1962 - Studiu intocmit de Comisia pentru cercetarea abuzurilor si pentru petitii din Camera Deputatilor*. Coordonator Octavian Roske. Bucharest. 1992. Additional articles and biographies of the many peasants involved can be found in the Bucharest published journal *Arhivele Totalitarismului*.

¹⁴ This was the name of the Communist Party before 1949.

¹⁵ The phrase comes from the publication *Legislatia Gospodarilor* (Farming Law) and is quoted in D. M. A. Murville and A. Wekerele 'Land and Peasant in Romania' in V. Gsovski and K. Grzybowski (Eds.) *Government, Law and Courts in the Soviet Union and Eastern Europe*. London. Atlantic Books. Volume 2 pp. 1852-77 at 1858. 1959.

¹⁶ Victor Frunza. *Istoria Stalinismului in Romania*. Humanitas. Bucuresti. 1990. pp. 411-420

A key element of collectivisation was its division of the rural population into distinct social classes, each with their own part to play. An individual would find that his treatment by the authorities in a range of situations would depend on his social status. The population of the countryside was split into five separate groups, the main criteria for determining membership being a peasant's relation to the means of production and their family background. In practice other criteria were used to determine an individual's position on this social chart, and the 'roles' assigned underwent frequent alterations.

One class however was given no role. The final destruction of the wealth of the *mosieri*, the old great landowners, began in 1949. Two days after the Plenary Session of the Central Committee, Decree No. 83 confiscated all their remaining lands, that is, all those estates of around 50 hectares which had been exempted in the 1945 land reform.¹⁷ Without compensation,¹⁸ the Decree ordered the confiscation of all their land and buildings, including the family home, transferring to the state all livestock, agricultural and semi-industrial equipment and all 'the goods and the materials that may be used in agriculture, as well as the agricultural products belonging to the *mosieri*, wherever they be stored'. Severe penalties were provided not only against the expected resistance of the *mosieri*, but against any 'weakness' or possible corruption amongst those charged with carrying out the decree. For non or partial implementation of the decree or for interfering with another official's execution of the decree, an official could be punished with 3-12 years in prison and a fine of between 25,000-200,000 lei.¹⁹ The law threatened jail terms of between 5-15 years for those who tried to interfere with its implementation, including any state officials that were prepared to 'look the other way'. Even so, in what was to be a foretaste of things to come, resistance to the law was strong and the full implementation of the law took ten years.²⁰

Aside from the objective of crushing those who, in 'theory', represented potential rallying points for organised opposition, the confiscation of the land of the *mosieri* can be tied into what Tanasescu calls the 'accumulative phase' of state activity. In

¹⁷ Decree 83, B.O. No.1 March 2nd 1949.

¹⁸ And therefore contrary to Article 10 of the 1948 Constitution which provided that just compensation, established by the court, should be paid for all expropriations. M. O. No. 87 April 13th 1948.

¹⁹ Preparations for this final act against the class enemy had begun some time before. In the spring of 1948, the Party had requested precise accounts of all the lands which remained in the hands of the *mosieri*. Comitetul Regional Partidul Muncitoresc Romani, Arhivele Statului Cluj, Dosar 1449/70. No 7 1948.

²⁰ Tanasescu argues that, given the almost hysterical tone of articles in the official paper *Scinteia* concerning the acts of economic sabotage committed by the *chiaburi* at this time, it is likely that the delay in implementing the Act came from a fear of provoking open or even violent resistance.

this period, legislation was introduced with the express purpose of increasing the size of the state land reserves, as well as of preventing the further expansion of the medium sized commercial sector.²¹ The Law on the Circulation of Agricultural Estates, introduced in June 1947, prohibited the sale of any land above 15 hectares whilst making it illegal for anyone not solely engaged in agriculture to buy land. For estates over 5 hectares the state secured the right of first refusal and, should it wish to buy the land, it could do so at below market prices. Introducing the law, the Minister of Agriculture, Train Savulescu, made it clear that the land acquired under the Act would be for the use of state and collective farms.²² In the following year Decree 125 provided for the confiscation of land owned by persons whose Romanian citizenship had been revoked.²³

In the reorganisation of production, the 256,000 families that made up the agricultural proletariat were expected to continue their labouring role, though there was always the possibility that some might move to the towns and cities. The next class were the small-holders, those who owned up to three hectares of land. Although their holdings were fractured and farmed without substantial inputs of machinery and fertiliser, they were identified as a group whose natural class interests would be served by the new farms. The land owned by this group also amounted to approximately one third of the country's arable land.

The third group, the *mijloaci*, were those for whom the Party had the greatest hopes. These traditionally more prosperous and productive farmers were heralded as the natural allies of the urban working class, and their superior maintained holdings of between 5-20 hectares would be seen as most suitable for the construction of the new farms. The fourth class, the *chaiburi*, were the class closest to the Russian kulak. Defined initially as those owning above 20 hectares or those who hired labour, this class occupied both a pariah status in official propaganda, at the same time as the authorities accepted their continued agricultural production. At first there was an attempt to separate this class from the others, and *chaiburi* were specifically disbarred from joining the collectives.²⁴ In practice, though the composition of this class was changeable. As *chaiburi* was an official term of abuse, it was also used to

²¹ Tanasescu op cit. p.15.

²² Ibid p.13.

²³ M. O. No. 154, July 7th 1948.

²⁴ Section 4 of the Model charter of the Collective farm H. C. M 1650: Hotarire cu privire la statutul-model al gospodariei agricole colective in B. O. No. 39 June 18th 1953.

describe those who held onto tradition, and those who refused to participate in the new farms.

With some exceptions, direct expropriation of land was largely avoided. It had been used against the *mosieri* because they were, in Communist ideology, a dying social class, which had always been socially and economically distinct from the mass of the peasantry. The campaign to subdue the *chaiburi*, though, required different tools.

4. Dislodging the *Chaiburi* - Administrative and Legal measures

The problem the authorities faced with the *chaiburi* was that they proved to be a deeply rooted social group in the villages. Customary social relations between peasants often cut across class lines, and although the Party tried to portray them as wholly parasitic, many of the *chaiburi* were 'tied' to other villagers through kinship relations. As Kideckel demonstrates in his study of peasant villages in Olt county, these kin obligations were often extensive, and the wealthier members of the village would often be expected to be godparents to poorer villagers' children. In return for occasional labour, the *nasi*²⁵ were expected to provide help in kind, finding employment for the older children, contributing towards the costs of newlyweds setting up home etc.²⁶

Their status and wealth were clearly irreconcilable with the new principles of equality and social justice. In the early stages of collectivisation, the propaganda of the Party spoke of dislodging the *chaiburi* from their social position.²⁷ As the wealthiest farmers, the *chaiburi* were subject to the highest tax demands. In the announcement of a new fiscal law in 1949, the Party declared that:

The new law on agricultural taxation is based on the principles of class struggles as practised in the Romanian People's Republic. The law is designed to aid the poor and middle strata of the peasantry and to put pressure on the *chaiburi*.²⁸

Apart from their regular agricultural income taxes, which could be as high as 49.4 %, all *chaiburi* were liable to a supplementary income tax of between 20-50%, the

²⁵ Godparents.

²⁶ See Kideckel op cit. pp. 42-45.

²⁷ Article 11 of the 1952 Constitution declared that 'People's Democracy consistently pursues a policy of restricting and dislodging the capitalist elements', and within the agricultural sector specific mention was made of the *chaiburi*.

²⁸ Murville and Wekerele op cit. p.1865.

precise level being set at the discretion of the local taxing authorities.²⁹ In addition, the agricultural quotas were set at progressively steeper rates according to the size of an individual's holding. A decision of the Ministry of Food and Commerce in 1949 gives a good example of the ways in which quotas were calculated. From the 14th January every owner of a cow or water buffalo was obliged to deliver 200 litres of milk a year to the state. For those owning two such animals, the quota was set at 600 litres per year, whilst those owning three animals had to deliver 1100 litres of milk per year. Such were the demands placed on those in the top bracket, that it was not unknown for farmers to have to buy produce from their neighbours in order to fulfil their quotas.³⁰

The fiscal and quota regimes placed many farmers in a relationship of perpetual debt to the authorities. Delays in delivery were first punished by additional quotas of 20%.³¹ Their vulnerability was compounded by the fact that the non-delivery of the quotas was a criminal offence. To abandon production, conceal the size of a harvest or to fall short in the deliveries of produce meant incurring potentially severe penalties for 'sabotaging' the economic plan.³²

In the newspapers and radio, there were frequent reports of sabotage by *chaiburi*, of the need for vigilance in the face of such provocation and warnings of the merciless punishments that would be meted out to the enemies of the people.³³ In Spulber's view, the frequency with which the designation kulak was used varied according to the intensity of the campaign. Often the local 'enthusiasm' of activists would 'carry them away' causing them to deviate from the official position and label the 'wrong' peasant. In Hungary, for instance, the official definition of a kulak was a peasant who owned more than 15 hectares of land yet, as the Premier Rakosi conceded to the Party congress:

²⁹ The regime of agricultural income tax brought in by Law No. 18 - B.O. No. 45 July 14th 1949 - allowed local authorities to impose a supplementary tax on local *chaiburi* in addition to his or her regular tax liability.

³⁰ Sections 21-25 Decree 143 B.O. No. 46 May 20th 1950 made the punishment for non-delivery by *chaiburi* more severe. Non-delivery was punished by the confiscation of the quotas. One quarter of this quota was then sold at delivery prices to poorer peasants and *mijloaci* who had provided information on the miscreants.

³¹ Ibid. Ss. 21-25.

³² In April 1949, Decree 183 introduced new sanctions against economic crimes. 'Concealing, destroying or misrepresenting harvests' could result in terms of hard labour between 5-15 years together with fines of between 50,000 and 200,000 lei, whilst not observing the state plan could be punished with between 1-12 years hard labour and fines of between 10,000 and 100,000 lei. See B.O. No. 25 April 30th 1949.

³³ Up until now the most systematic examination of the Party press has been by Tanasescu op cit. pp. 27-77.

our comrades in the villages have considered farmers owning more than 15 cadastral acres (8.6 hectares) as kulaks.³⁴

In the Romanian context this basic elasticity can be seen in the files created by Communist Party on the local *chiaburi*. In Turda, Transylvania, in 1951, out of the 587 people identified as *chiaburi*, 348 lived outside the villages, over a third owned less than ten hectares, whilst the single largest element comprised those owning between 11 and 15 hectares. In addition to these landowning peasants, there were those such as Lazar Bucur who owned neither land, nor machinery, nor livestock. There was the unfortunate Alexandru Tokor who was denounced as a *chaiburi* even though he was registered as only owning one horse. In many cases, the reports give no further information to explain why such peasants should be called *chaiburi*. In other instances, though, there is mention of the ownership of some kind of agricultural machinery such as a tractor or a threshing machine. Similarly, there were those whose economic activities brought them to the attention of the authorities - the ex-publican who continued to sell alcohol, or the owners of *tuica* (plum brandy) stills.³⁵

The label thus became a catch-all expression which denoted opponents to the regime. The landless *chaiburi*, such as the still owner, were representative of the traditional independence and self sufficiency of the peasants, in other words, a social organisation that did not rely on the state. In this sense, they were obstacles to the dominance of the Party.

Throughout the agrarian campaign, the authorities relied upon the security services and the enforcement of the criminal law against dissenters.³⁶ New laws frequently increased the range of offences 'against the advance of the national economy'. One law from 1948 prescribed the death penalty for burning or destroying in any way industrial, agricultural or forestry products. For not denouncing anyone committing the offences provided under the Act, the penalty was between five and ten years' hard labour.³⁷ Such was the detail and stringency of the economic plans that some degree of non-observance was almost inevitable and, therefore, potentially the subject of a criminal prosecution. For the local agricultural authorities the criminal law could be used to threaten the peasants with fines, detention or worse. If non-

³⁴ Quoted in Spulber op cit. p.251.

³⁵ Files held in the state archives in Cluj - Sfatul Popular Regional Cluj - Sectia Agricola, Dosar Nr. 9, 1951

³⁶ Tanasescu, op cit. p. 25.

observance was considered to have been purposeful rather than the result of carelessness, the sanctions could be very severe, confiscation of property, deportation and even execution.³⁸

The class nature of law enforcement under state socialism was official policy. Levy found in the Romanian state archives a direction from the Central Committee to the Chief of Police in Bucharest ordering him to enforce the law especially severely against all *chaiburi*.³⁹ Courts were prepared to accept the links that the prosecutors sought to show between the social background of a prisoner and their 'responsibility' for the crime. For those families, conviction of one of their members could have severe consequences for a whole series of matters: choice of school, type of job offered, promotion, housing.⁴⁰

5. Creating the farms and acquiring the land

In theory, the socialist transformation of agriculture was supposed to be achieved with the support and assent of the peasantry. There would inevitably be some reactionary sections which would refuse to participate, and there would also be those against whom more forceful persuasion would have to be used. The propaganda of the Party emphasised the tremendous improvements that would come with collectivisation.

The process of establishing a collective farm was elaborate, involving agricultural engineers, topographers and both local Party activists and activists from Bucharest. In the plans of the agricultural economists, the ideal farm would be between 80-100 hectares in size, and would be created once all the local economic and political conditions had been assessed. Following some of the abuses committed by overexuberant local activists in the first year of the campaign, a village needed to apply to the central Ministry of Agriculture to set up a collective.⁴¹ The Ministry would then send a team to survey the economic and political conditions in the village. Their aim was to encourage the applicants, strengthen the local Party and convince those peasants who had not signed up of the benefits of joining the new farm. At the same time as holding meetings, visiting waverers in their homes and ensuring that at least

³⁷ Law 16 M.O. No.12 January 15th 1949.

³⁸ For the use of the criminal law in the collectivisation campaign, see Roske op cit.101-126.

³⁹ Levy op cit. p.244.

⁴⁰ Often conviction would result in a whole family being moved on by the local authorities, often to other parts of the country, and sometimes without the imprisoned family member being informed of the move. See Roske ibid.

⁴¹ Decree 319 'On the establishment of Collective farms' B.O. No. 51 August 1st 1949

all Party members had signed up, the delegation also marked out the different holdings which were to be merged in order to establish the farm.

According to the 'constitution' of the collective farms (*Gospodarii Agricole Colective* GAC), the GAC is based on the collective ownership of the means of production and on the collective work of the land, with products to be divided equally amongst the members.⁴² All those who joined did so with all their land, animals, seeds, fodder and equipment. The land was consolidated into a single area which, in turn, was zoned into separate areas for production of cereals, vegetables, fruit, fodder etc. Each member of the GAC was allowed to retain for his own use his house, some land (20-30 *ari*) next to his house and the agricultural tools necessary for working that area.⁴³ In addition he was allowed to hold onto a specified amount of livestock. As Murville and Wekerele point out, 'these provisions are identical with those in agricultural regions of the Soviet Union'.⁴⁴

An illustration of some of the difficulties involved in putting policy into practice can be seen in the application from 36 villagers in Comuna Iclod, Cluj county, proposing the setting up of a collective farm. Their combined resources amounted to only 48.91 hectares of land, 41.43 of which was arable land. There were also 75 people who could work as labourers. Out of the 36 original applicants, 15 were Party members. The delegation sent to survey the area argued that there should be at least another 10-12 *mijloaci* willing to join the collective before the application would be acceptable.⁴⁵ At the same time, the delegation's efforts to persuade the sceptical villagers was undermined by the fact that five local Party members had refused to endorse the application.⁴⁶ The author of the report was convinced that the behaviour of the local Party members was the chief reason why none of the *mijloaci* turned up to a special meeting convened to discuss their fears. One *mijloaci* was reported to have said that:

⁴² Section one, see n. 23.

⁴³ This meant that what was retained was not owned by the peasant but only his to use. Murville and Wekerele argued that this meant that the peasant's home was in fact 'owned' by all the members of the household and only with their unanimous consent could that property be transferred. *land and peasant* p.1868

⁴⁴ Murville and Wekerele *op cit.* p. 1871

⁴⁵ For more on the initial proposals concerning the setting up of the collectives see Levy *op cit.* pp. 239-254.

⁴⁶ Some of the typical reasons given by Party members for not joining the new farms can be seen in the report of the establishment of a collective in Bobalno-Salatiu in Somes county. In this instance six Party members had refused to sign the initial application. The first claimed that whilst a prisoner of war in Hungary, he had been forced to work in a collective farm and he had n't liked what he saw, the second said that he did n't want to leave his children, whilst the third said he was not prepared to join the farm until the others did. The fourth said that he would only join if he was allowed to sell his ox, buy a thinner one and keep the difference for himself. (Under Article 7 a) of the organising statute for the collective farms, each member was expected to offer all working animals for the use of the collective) The fifth Party member owned no land whilst the sixth was reported as simply being 'not in accord with his wife'. *Comitetul Regional PMR Cluj - Somes. Dosar 965/58 Fondul 5, 1949.*

If the *mijloaci* who are members of the Party will not join, then why should I? If they don't join, it is because they know that these collectives are a bad thing, otherwise they would have signed up.

Another was reported as saying that he wanted to sell his cow before he would consider joining, he certainly wouldn't give it to the collective '*ca se le mulga toti golani*'.⁴⁷

After the embarrassment of the cancelled meeting, all the local Party members were summoned by the Ministr team to account for their action. Those who had not so far signed up were accused of displaying 'enemy attitudes' and, by the end of the meeting, they displayed a more 'submissive attitude'. Even with this 'success' though, the conclusion of the delegation was that the local political attitude was not ready to produce a successful collective farm.

Other examples from Transylvania in the early stages of the campaign show how little land was being 'brought' by the initial applicants. In January 1950, in Someş county in Transylvania, ten peasants from Comuna Preluci made an application to the Ministry of Agriculture to set up a collective, declaring a combined total of 12.39 hectares of arable land and requesting a grant of state reserve land to help them achieve their target of 18 hectares. In the village of Taga, in the same county, even though there was a total of 661 hectares of arable land in the village, the 16 applicants owned a combined total of 20 hectares; in nearby Cernu, the 30 applicants brought with them a total of 61.64 hectares.⁴⁸

The viability of these first farms was crucial to the Party. New collectives were used as working models which other doubting peasants could be taken to visit them. Successful farms were also shown to visiting dignitaries, whether they were from the regional capital, from Bucharest or from other friendly countries. Even though there was seldom enough land in the first application, the local agricultural authorities usually ensured that where a farm could be made, then it would be. On the question of where that additional land would come from, the state could draw upon a number of sources.

⁴⁷ 'because all the milking maids are fools'.

⁴⁸ Comitetul Regional PMR Cluj - Someş. Dosar 973/66 Fondul 7, 1950. In not one of these villagers were all Party members signatories to the application to start a collective. In Taga there were five Party members who had not signed, in Preluci, another 15 and in Cernu another 16. It may be that some of these worked outside agriculture. Still, the ratio of Party signatories to non-signatories suggests that not all Party landowners had recognised their duty to the new farms.

5.1 Donations

One of the most remarkable methods for increasing state land reserves was through land that had been 'donated'. Particularly in the early stages of collectivisation, the state received land from all quarters. Institutions which had always held some land were persuaded to give up their property for the greater goal of 'constructing socialism in the countryside'. Schools, hospitals, private organisations, communal authorities, all of them transferred their land free of charge.⁴⁹

One of the largest of these institutional landowners in the villages was the Church. Although the Greco-Catholic Church had been abolished in 1948 and its lands confiscated, there was evidence that the Party was prepared to come to an accommodation with the main Orthodox Church. Its lands were spared in both the 1945 reforms and by the 1949 expropriation Decree No. 83. In many areas the Church had already allowed the local authorities to manage their lands, taking the majority of the produce grown. In late 1948 and early 1949, the Synod of the Orthodox Church announced that it would transfer legal title to most of its lands to the state, with the actual transfer being effected by means of a letter of donation drawn up by local priests. The Orthodox Synod believed that with this method, it could ensure that its priests were left with enough land for their own personal use. Some months later, though, regulations were introduced by the Ministry of Agriculture preventing the local priest from selecting the portion which he wished to retain for himself.⁵⁰

Throughout collectivisation, peasants of all classes signed away their land without compensation or fee. Why someone might have wished to donate their land owes much to the severe difficulties that many peasants had in meeting their tax and quota obligations. Since 1945, agricultural production was organised in accordance with the state plan, with precise instructions as to the use of seeds and fertilisers, together with increasing assistance from the Machine Tractor Stations. Instead of work being organised on the basis of households, with members of the family and extended family working the scattered plots, peasants found that they had Party activists to work with, or members of the army, or 'volunteers' from local factories

⁴⁹ See Tanasescu op cit pp.31-38.

⁵⁰ See D. Sandru op.cit. pp..148-150.

and schools.⁵¹ Each harvest was weighed and measured and the producer was then obliged to deliver a proportion to local collection centres, the quota being calculated according to the size of the holding and the local average yield.⁵²

In those same archives there are frequent requests for some relaxation of the quota, individuals petitioning the authorities that they be allowed to make up their quotas in the following year. The heavy burden involved in meeting the quota can be seen from a letter written from the mountains near Cluj, in the summer of 1949, in which the author, a state official, reports that with no access to pasture land the peasants were finding it very difficult to meet their milk quotas. As a result the levels of infant mortality were rising in the area and, in the opinion of the author, would fall only if the level of the quota was lowered.⁵³

The pressure on the marginal producer was, of course, intentional. These unproductive holdings could be used to create the first collectives and many of their owners could find employment in the towns and cities.⁵⁴ However, the act of donation was not made simple. Whether there was too much unworked state-owned land, the Ministry of Agriculture made it clear in a circular issued to all regional authorities, that on no account was land to be accepted if there were any debts owing, in particular unpaid taxes or undelivered quotas. The files held in Cluj are full of desperate letters, begging the state to accept land because the obligations that went with it had become overwhelming.

Tanasescu grouped land donations into two broad categories. First, there were those who claimed in their letter of donation that they were doing so to further 'the construction of socialism in the countryside'. These often included donations from individuals who had left the village and found alternative employment in the towns. The second group were from those who admitted that working the land had become too difficult for them, owing to illness or loss of family labour, and who now wished to rid themselves of this burden. According to Tanasescu, the vast majority who fell

⁵¹ See for instance Comitetul Regional PMR Cluj. Dosar 1364/33 Fondul 6 1947 - Raport de Activitate Sectia Taraneasca.

⁵² Decision No. 4322 of the Ministry of Commerce and Industry M. O. No. 143 June 26 1947.

⁵³ Comitetul Provizoriu - Rapoarte Informativ, Tablourilor Chiaburilor, Judetul Cluj. Dosar Nr. 20, Fond 37

⁵⁴ Between 1948-56, the urban population in Romania increased by 1.7 million, whilst the overall number of people living in the rural areas fell by 111,300. Quoted in David Turnock. *Romanian Villages: Rural planning under Communism. Rural History* Vol. 2 No. 1 pp. 81-112 at 84. 1991.

into this category was composed of peasants holding small plots, many of them received in the 1945 reforms.⁵⁵

Letters of donation held in the Cluj archives constantly insist on the difficulties caused by illness or old age, or the fact that all the younger members of the family had gone to work in the towns and cities. Rejected donations included those from 'mutilated' war veterans and widows too sick to work the land. From the donation requests in the region surrounding Cluj between 1949-51, it appears that the authorities were almost entirely inflexible in the application of the law.

A donation, although rejected, was not forgotten, though. Once land had been offered, the local authority was obliged by the Ministry of Agriculture to record the fact and, should the property later become suitable for the creation of a state or collective farm, the 'gift' was reactivated. According to Sandru, the sheer extent of 'donated' land signified how only a few years after their seizure of state power:

the Communists had managed, through their politics and economics, to produce in the heart of the peasant a repulsion towards the land.⁵⁶

5. 2. Consolidating the land - Merging the plots

Although the state often had enough reserves to 'top up' the applications that came from peasant small-holders, the main obstacle to starting the new farms was the old system of strip farming. Many of the applicants' holdings were divided into five or six separate pieces which, as has been seen previously, were often many miles away from each other. Their land tended to be poorer in quality, not having benefited from good seeds or fertilisers. Fragmentation had long plagued the modernisation of Romania's farms and, in order to ensure the success of the new farms, it was imperative that surfaces be created which could be worked 'rationally', i.e. gridded, divided into areas by crops grown and worked throughout with machinery. Initially, the local authorities tried to arrange for voluntary exchanges of land between the owners of the linking plots and would-be collectivisers. The role of both the local agricultural authorities and the Party activists was to persuade those who owned these linking plots to part with them in exchange for the other land held by the applicants. The main problem they faced, though, and one that had thwarted

⁵⁵ Tanasecu op cit. pp. 31-34.

⁵⁶ D. Sandru op cit. p. 158.

previous attempts at consolidation was that like was not being offered for like. More often, the offer was to exchange high quality, well maintained land, which was close to the centre of the village for land that had been poorly looked after, of low fertility and often far away from the village.⁵⁷

Official preparations for the consolidation of land holdings had begun some years before the announcement of collectivisation, and yet the reaction of the peasants to these preparations illustrates the great difficulties involved in 'rationalising' holdings. A report from the Committee of Provision in Cluj cited the case of an agricultural engineer who was threatened in Comuna Juriul de Campie, as he drew maps. The report suggested that it would be better if engineers did their work during times when the majority of peasants were away in other fields.⁵⁸

In terms of the post-Communist attempts to unravel collectivisation and return to the previous arrangements, these land exchanges have produced many problems. The merging of land raises the same questions as the issue of donated land. It is difficult to be sure whether or not the contracts were produced under duress, or whether it is safe to take them at face value. One difference between the two forms of transfer is that whilst there was no reason for misrepresenting the size of donated land, with exchanges it was in the new farm's interests to exaggerate the amount of land owned or to misrepresent its precise location. The closer a strip was to the centre of the village or the less it occupied hilly ground, the more acceptable it would appear as an exchange.

Exchanges of border land were supposed to be carried out to further the fundamental interests of the *saraci* and *mijloaci*. The Ministry of Agriculture issued instructions that the interests of these groups were not to be harmed in any way. Exchanges were to be voluntary agreements with both parties obliged to sign a declaration attesting to the free nature of the exchange.

In spite of these instructions, it is clear that the pressure to create new collective farms sometimes overwhelmed the authorities. The consolidation of land in Comuna Catacau illustrates the procedures involved in gaining the agreement of all parties. A single contract was drawn up authorising 201 separate land exchanges. Every party

⁵⁷ See Tanasescu *ibid.* pp. 34-42.

⁵⁸ It was not possible to find when the first phase of this operation was, but given the sensitive nature of the work, it could be assumed that the first phase took place some months previous to this, perhaps even prior to the Plenary Session in March 1949. Comitetul Provizoriu al Judetului Cluj - Sectia Secretariat, Dosar 12, Fondul 563 1949.

to the contract was expected to sign it in front of the Mayor and the secretary from the local agricultural authority. In many exchanges no signature was given and a significant proportion of other 'agreements' were done by way of thumbprint or cross.⁵⁹

Anecdotal accounts attest to the use of coercion in many instances, ranging from direct violence against the unwilling to threats that a son or daughter would not be allowed to go to college should the owner refuse to sign. What is clear is that almost every collective farm required a huge number of exchanges of land to create the size and shape which the authorities required. A breakdown of exchanges in the creation of 63 collectives in Cluj county reveals that, for the 5,972 hectares brought by members to the farm, it was necessary to make exchanges of land totalling 5,746 hectares.

Consolidation caused a great deal of unrest and bitterness in the countryside. In the establishment of the state farm Unguras, in Turda, 27 complaints were reported concerning the quality of land received by private persons. Typical complaints were that land from the valley had been exchanged for land in the hills, that pasture land had been given for arable land or that the land received was simply *slab*, i.e. weak and infertile. The report concludes that almost all the complaints related to plots under one hectare in size, and that the operation was conducted in favour of the state farm.⁶⁰

The extent of resistance to the consolidation process can be inferred from the passing of Decree 151 in 1950. Until this point, the exchanges had been achieved through persuasion and *munca de lamurire*,⁶¹ this Decree simply declared that consolidation would be in the interests of the collective or the state farm. Even though this law required the farms to draw up contracts detailing the exchange, there was 'a widespread failure' on the part of many authorities to complete formalities.⁶²

Many of the early collectives were set up through exchanges and donations. Often the latter resulted in the doubling of the original size of the farm. A report from the agricultural section of the Mayor's Office in Cluj, in 1952, gives an example of how much land was added in this way to the early collectives. The total amount of land

⁵⁹ Comitetul Regional PMR Cluj Dosar 973/66 Fondul 7 1950.

⁶⁰ Comitetul Provizoriu al Judetului Cluj - Sectia Agricol Dosar 57, Fondul 88 1950.

⁶¹ A phrase that literally means the work of explanation.

⁶² Verdery *ibid.* at p.1090.

brought by members of the collectives established in that year amounted to 8,392 hectares, whilst the total amount of land added from other sources was 5,755 hectares. There were five main categories of added land - state reserves, land from institutions, land from absenteeists, land which had been renounced in favour of the state and confiscated land.⁶³

6. Pragmatism and Coercion in Collectivisation

The 1991 Parliamentary Committee investigating abuses committed during collectivisation gathered many thousands of testimonies about resistance to the communist programme. In the second summer of the campaign in the summer of 1950, there were numerous reports of peasant revolts requiring the sending of troops and militia, attacks on local Party headquarters, destruction of files belonging to the local authorities, even hostage taking of prominent Party members.⁶⁴ Resistance to the quota regime ranged from hiding of harvests to bribery of collection officers and under-declaring the size of harvests. Verdery reports that many peasants attempted to reduce their liability under the quotas by dividing their land amongst their families. Another tactic was for peasants to enter into informal arrangements with neighbours whereby they would become the legal owners of the land.⁶⁵

In 1961, at the Plenary session of the Central Committee, Gheorghiu-Dej announced that collectivisation had resulted in the arrest of over 80,000 people. Many thousands had been deported from their villages to other parts of the country, and prisoners were employed as slave labourers on the Danube-Black Sea Canal.⁶⁶ Although conditions eased in the middle fifties, the return to more coercive methods after the Second Party Congress, in 1958, resulted in a fresh round of rebellions and reprisals.

Terror was not the only means which was used to persuade the peasants of the wisdom of collective farming. In response to the difficulties encountered, the Communist authorities throughout eastern and central Europe showed far greater flexibility and innovation than their counterparts in the USSR had done. Not only were the regimes of agricultural taxes and quotas constantly modified, the range of socialist farms kept changing.

⁶³Comitetul Provizoriu al Judetului Cluj - Sectia Agricol Dosar 57, Fondul 88 1950.

⁶⁴ See *Ibid.* pp.48-51 and Roske *op cit* pp.79-100.

At one end of the scale were the *Asociatii Simple*. They brought together private owners to achieve limited objectives, such as mechanised tilling of the soil or harvesting and had no model charter of their own. In 1955, they covered only 0.4% of the country's arable surface.

Others, such as the *Intovarasire* (TOV), brought farmers into longer term working arrangements and had their own model charter.⁶⁷ Land was consolidated into single plots and the boundary markers were destroyed; but in theory the peasant still remained the owner of the plot which he contributed to the TOV. Members were allowed to withdraw their land after only one season, should they wish,⁶⁸ and unlike in the collective farms, the peasants decided how much of their own land they would contribute, and how much they would reserve for their families to work. The same approach applied to the peasants' working animals: if they wanted they could keep them for themselves.

Whereas the collective farms, with their wholly pooled resources had alienated the *mijloaci*, the TOVs proved more popular. They secured access to agricultural machinery whilst recognising the peasants' ownership of the land. After quotas had been met and the MTS paid, produce was then distributed according to the amount of land that each member had in the TOV. In official eyes, TOVs were transitional stage on the road to socialist agriculture, and Section 11 of the model charter provided authority for the General Assembly to convert them into the more superior collective farm.⁶⁹ On the other hand, the inferior and transitory status meant that TOVs were not subject to the same restrictions as collectives. In Cluj county, for example, the average TOV was 42 hectares in size which was just over half the size for the standard collective farm.

According to Tanasescu, it was not long before the initial enthusiasm for TOVs began to wane.⁷⁰ In many cases, peasants who joined found that the conditions set out in the model statute did not correspond to the way in which the farm was run.

⁶⁵ Information supplied by Dezso Koncs, former Chief Accountant for the Collective farm Sandor Petofi, Plaiesti, Turda, July 1997.

⁶⁶ See Deletant op cit. pp.24-25.

⁶⁷ HCM 99 in BO 6/25 January 1952

⁶⁸ The problem in leaving was that on the one hand Section 3 of the model charter states that the land that a member brings into the TOV remains his land, but should he decide to leave, then Section 16 states that he should receive land of the same size to that which he brought, although taken from outside the perimeter of the consolidated area of the TOV.

⁶⁹ The General Assembly was the democratic centre of the farm, where all major decisions were taken. The everyday management of the farm was controlled by the Executive Steering Committee which was appointed by the General Assembly.

⁷⁰ Tanasescu op cit. pp. 59-62.

The local Party files for the regions surrounding Cluj contain frequent reports of peasants who wished to leave being given inferior pieces of land drawn from the perimeter of the farm or other less favoured places rather than their own land. Further dissatisfaction came from the fact that should a member decide to leave then he was not entitled to take with him any of the machinery or tools he had contributed to the TOV.⁷¹ Still, they proved to far more acceptable than the full collectives, and their numbers and total surface area soon surpassed those of the collectives. By March 1958 there were 11,440 TOVs in the country as a whole in comparison with only 2,756 collectives.⁷²

At one time the Party even introduced a type of farm which allowed members to sell, donate or otherwise dispose of their land. In terms of numbers, though, these agricultural producers' co-operatives were dwarfed by the numbers of TOVs and collectives. By 1958 there were only 125 in the country.⁷³

Despite these 'concessions', in the middle of the 1950s the vast majority of agricultural land remained in private hands. In 1956, three quarters of the entire crop of vegetables and cereals came from this sector.⁷⁴ Perhaps even more surprising were the results of the 1955 census which demonstrated that the number of medium sized (between 5-20 hectares) private farms had increased. Ionescu believes

that the peasant class, in spite of persecution, compulsory quotas, exorbitant taxes and exaggerated prices for the use of the services of the MTS, had been able to resist collectivisation and to maintain its traditional position in the economy of the country.⁷⁵

The final phase of collectivisation began in 1958. Although there had been an increase in the number of TOVs, to the Communist authorities they still represented an inferior form of socialist farming. Gheorghiu-Dej argued in a speech, in April 1958, that TOVs were undermined by the divided loyalty of their members. The fact that they retained ownership of their own cattle and kept portions of their land

⁷¹ Article 17 of the model constitutional simply refers to instances of exclusion with the Assembly designating a plot on the margins of their land for the excluded member.

⁷² Following the Second Party Congress in 1958, the numbers of TOVs gradually decreased as more were converted into the superior CAP - the retitled GACs. Whereas in 1958 there had been 12,748 TOVs covering 17.7% of the total agricultural surface area, by 1962 this had fallen to 1317 and covering only 3% of the country's arable land. By contrast in the same period, the 3028 CAPs covering 13.8% of the agricultural land rose to 5398 farms accounting for 61.8% of the land. Private farms shrank from 42.9% of the agricultural land to just 6%. Figures from *Anaurul Statistica al Romaniei*. Bucuresti. RPR. 1965.

⁷³ *Ibid.*

⁷⁴ Ionescu (1967) op cit. p. 239

outside the TOV encouraged them to concentrate on domestic production. There were few signs of willingness to convert TOVs to the 'higher form' of the collective farm. From 1958 until completion of collectivisation in 1962, pressure on both the *chaiburi* and the small-holder increased. The tax system was once again employed: the less land that a peasant had put into a TOV, the higher the tax levy imposed. The rules on when a TOV member could withdraw were also made more strict.⁷⁶

In November 1958, the resolution of the Plenary Session of the Central Committee urged a more urgent pace on the socialisation campaign. As noted before, this was influenced by the omission of Romania from the list of countries that Khrushchev praised for their progress in agrarian matters. After 1958 the socialist sector expanded rapidly. In part this was due to the land reclamation projects that added a further 800,000 hectares to the sector. Confiscation, though, played a major part with the direct confiscation of all privately owned land which was not directly cultivated by the owner and his family. The law also forbade sharecropping, the leasing of land and the hiring of labour.⁷⁷ State farms were the biggest beneficiary.

Collectivisation was declared to be complete in April 1962. Over 3,200,000 families were included in the socialist sector and in terms of surface area 93.4% of the country's arable land was in some form of collective association. The remaining private lands were mainly to be found in the mountainous areas, where were left alone largely because of the difficulties of using machinery. Whilst this may have been the main reason, as Ionescu notes there were others:

[the region was] inhabited by a very tough breed of people who would take a lot of 'persuading' of the merits of collectivisation.⁷⁸

7. Some conclusions

The main question this chapter addresses is how peasant ownership of land was transformed into collective ownership. I have tried to show that whilst force was used to crush opposition, on its own it was insufficient.

The first qualification relates to the relationship between the land and the peasant. As we saw in the last chapter, there were sections of the population in both the rural

⁷⁵ *ibid.* p. 240.

⁷⁶ *ibid.* p. 240.

⁷⁷ Decree 115, B.O. No.10 March 30th 1959.

⁷⁸ Ionescu (1967) *op cit.* p. 300.

and the urban areas who cherished the distinct spiritual qualities of rural life. Novelists, poets and folklorists described the deep relationship between the peasant and the land and the distinctive nature of rural life. By contrast, the Communist programme recognised that there were equally large parts of the peasant population for whom life was characterised by poverty and hunger.

Following the Great War, the problems created by the rise in population were only partially addressed by agrarian reforms. Migration to the cities and the further fragmentation of land in the villages attest to their failure. For poorer peasants, the Party's programme of reconstruction and rapid industrialisation offered the opportunity for something different and perhaps better. The vast amount of land donated to the state by this group illustrates the increase in alternative employment opportunities and also adds another perspective to the 'traditional' view of the deep relationship between the land and the peasant.

The second qualification to be made in respect of the argument which accounts for the success of collectivisation solely in terms of the use of force is the fact that there were those who accepted and even took advantage of the opportunities presented by collectivisation. State support in the form of machinery, technical advisers and most of all, good quality land gave poorer peasants a great chance to raise their income and status in the village. Many of the first applications, at least in the examples from Transylvania, were from the poorest peasants who owned tiny holdings and possessed minimal amounts of machinery and capital. For many in this group, collectivisation represented a gain, rather than a loss.

For the peasants, for whom agriculture had provided a good living and who prided themselves on their self-sufficiency, collectivisation could only be resisted for so long. Eventually it became clear to even the most ardent private farmers that the state would not tolerate even one private farm in the vicinity of a collective. Until this point, however, the severity of the fiscal and other measures could be partially offset by 'local arrangements' such as misrepresenting the size of a holding or underdeclaring a harvest.

In legal and administrative terms, collectivisation was a revolution of great complexity. Instructions from the centre to the branches were transmitted with a speed that made local compliance difficult. These orders could be extremely detailed while containing phrases that gave great latitude to officials. Decree 151 of

1950, for instance, required the relevant authorities to take into account 'the fundamental interests of the *mijloaci* and *saraci*' when deciding on the consolidation of collective farms even though, as we have seen, their interests were often opposed. Sometimes the local cadres' and the Central Committee's interpretations coincided. In other cases they didn't. In terms reminiscent of Stalin's admonishing 'dizzy with success' speech, top officials attempted to establish greater central control over the branches.⁷⁹ In such cases, local abuses may have been so harmful as to require compensation or even prosecution 'in the interests of the *mijloaci* and the *saraci*', but there must have been many other cases in which no such revision was made. In these cases, one has to question the status of these legal procedures which insisted on there being witnesses, signatures and free consent. From the archive records, it was clear that non-compliance with procedures was not fatal; sometimes the enabling law was not even passed until years after the practice first appeared.⁸⁰

On one level, despite the instrumental character of the law, the written record of 'freely exchanged contracts', 'voluntary' 'donations' of land, land registers,⁸¹ completed quotas and paid-up taxes stands as the official legal account of the period, and one of the primary resources for the reconstruction of pre-Communist society. However, as will be seen in the case studies, there are many ways in which this account is distorted and simply false. Alongside the legal account is an alternative, non-official peasant account which charts the duress of the authorities and the means whereby some peasants resisted and others prospered. It may be both oral and written and, as in the official record, there are contradictions, blank spots and instances where people got 'carried away'. Even so, in the context of post-Communism, it is a democratic resource and one that acts as a counter to the 'official' record.

⁷⁹ In this speech, in 1930, Stalin admonished those who would take 'adventurist turns', believing that the construction of socialism can be achieved 'in a trice'. J. V. Stalin. *Problems of Leninism*. Peking. Foreign Languages Press. 1976. pp. 483-91.

⁸⁰ Again the phenomenon of land exchanges were an example of this. Forcing through the exchange despite the protestations of the peasant owner was not decreed as lawful until 1951, even though the practice of forcing exchanges had started with the first campaigns in summer 1949.

⁸¹ In 1955 a national land register under the control of the Ministry of Agriculture was established which recorded all changes in land use and ownership. Any changes had to be registered within seven days of their occurrence. Decree No. 261 B. O. No. 20 July 15th 1955.

Chapter Six - Land and agriculture during the age of Multilateral Socialism: Decline and fall

For the future of a people, what is decisive is not the amount of their consumption but the amount of their accumulation.¹

1. Introduction

To the Communist planners, modernisation would be achieved through rapid industrialisation and the triumph of urban culture over what was seen as rural backwardness. The inefficient peasant customs, which were responsible for much of the country's underdevelopment, were to be abandoned in favour of central planning. Collectivisation of ownership was only one part of the plan to transform the peasants into workers.

In the second half of the Communist era, from the beginning of the 1960s to 1989, a second campaign was introduced which was no less radical. Unlike the collectivisation campaign, the campaign to systematise the countryside or, in the words of the President, to 'liquidate the essential differences between the towns and the countryside' - was never completed.² Its aims were more ambitious than those of the previous campaign, and it aroused great resentment and, in its later guises, attracted international opposition. In the 1980s, whilst other countries were liberalising their economies, Romania reverted to a Stalinist system of massive public projects and 'sacrifices' on the part of the population.

This chapter examines some of the key features of the modernisation of agriculture and of rural settlements from 1960 until the fall of Ceausescu in 1989.

2. The transformation of agriculture under socialism: Achievements

Collectivisation of ownership gave the authorities the power to totally reorganise the agricultural economy. Whereas previously, control over what was planted and to whom it was sold was in the hands of the private producer, under socialism these

¹ Nicolae Ceausescu, speech to the RCP Central Committee plenum. *Agerpres*, February 28, 1984.

² Quoted in Turnock (1991)

decisions became the subject of scientific planning. The Communists introduced a more systematic approach to production. New crops were planted and, by means of zoning, the authorities could ensure that they were planted to take greater advantage of local geography and of local variations in the climate of the country as a whole. A second tendency was the application of economies of scale in all parts of production, with far greater use of agricultural machinery and greater domestic manufacture of inputs such as fertilisers, which had traditionally been imported. After the war, the Soviet Union by way of reparations from Romania, confiscated many of the German-supplied tractors and so it was important to develop a domestic capacity for manufacturing agricultural machinery. Although the Romanian tractor plant at Brasov took a number of years before it was fully operative, there were dramatic increases. In 1938 the number of tractors in the country was 26,598, whilst in 1989 it had risen to 116,653. Combine harvesters increased from a mere 289 in 1970 to 35,182 in 1980 and 37,889 in 1989.³

Fertiliser use, which had been very low in peasant agriculture, increased significantly, and in the 1970s, most fertilisers were supplied by the Romanian chemical industry itself. The total amount of fertiliser used in agricultural production increased from 5,900 tonnes in 1950 to 1.37 million tonnes in 1983.⁴ Under state schemes, huge amounts of land were reclaimed for agricultural use. One fifth of the agricultural area required 'drainage, irrigation, stabilisation or other forms of radical treatment'.⁵ In 1950, only 42,500 hectares were irrigated; by 1983 this area had risen to over 2.5 million.⁶

Compared with the system of small-scale peasant farming, agriculture under socialist rule was considerably more productive and the country's traditional dependency on cereal crops was reduced. Between 1938-89, the amount of arable land given to cereal production fell by almost a quarter, whilst the overall cereal harvest more than doubled.⁷ In place of the cereal crops, oil-bearing crops such as sunflowers were more widely produced, whilst crops that had previously been grown in tiny proportions became major commodities. By 1989, for example, the area of land

³ *Anuarul Statistica al Republicii Socialiste Romania 1990*. Bucuresti. Directia Centrala de Statistica. p. 408-09

⁴ David Turnock. *Eastern Europe: An Economic and Political Geography in*. London. Routledge. 1989. p. 251.

⁵ David Turnock. *An Economic Geography of Romania*. London. Bell. 1974. p.232.

⁶ *Anuarul 1982* pp. 116-17.

⁷ Out of the 9.4 million hectares of agricultural land in 1938, 8.2 m were devoted to cereal growing. The total cereal harvest was just under nine million tonnes in 1938, whereas by 1989 it had increased to almost 18.4 million. *Anuarul Statistica 1990* op cit. p. 102-03.

given over to soya production was fifty times greater than in 1938.⁸ The production of vegetables increased over elevenfold between 1938-89, the potato crop four-fold and sugar beet almost fifteen-fold.⁹

Under socialism, the proportion of national income supplied by the agricultural sector declined steadily from its height in the 1930s when it had supplied almost 40% of the national income. In 1960, agriculture was still supplying one third of the nation's wealth. Following the industrialisation drive of the early 1960s, together with increased trade with non-socialist countries, other sectors started to supply more of the country's wealth. In 1970 agriculture's share of GDP was just under 20%; by 1980 it had fallen further to 13.7 %. In the rest of the decade when extraordinary efforts were made to increase productivity levels, the proportion rose again, though only to a high of 15.5% in 1985.¹⁰

3. Some difficulties of modernisation

Many commentators have pointed out that, despite its successes, Romania was the great underachiever. Ceausescu himself was not averse to castigating the relative inefficiencies of agriculture. In 1965, for instance, he complained how maize yields were far lower than in western and central Europe. Romanian farms produced on average 1780 kilograms for every hectare, whilst neighbouring Hungary produced 2760 kg/h. In France the figure was more than double, with 4060 kg/h.¹¹ Fifteen years later, productivity levels were still far lower than in other countries. In the production of wheat, where Romania supposedly had great natural climatic and geographical advantages, its average harvest per hectare was only 2840 kg. In Yugoslavia, however, the equivalent figure was 3350 kg; in Bulgaria it was 3,970 kg, in the GDR 4380 kg and Hungary 4760 kg. In the rearing of livestock, Romania fared little better. In 1980 for every hundred hectares devoted to the rearing of livestock, Romania 'obtained' 46 head of cattle, whilst in Poland the equivalent figure was 61, in Czechoslovakia it was 77, the GDR 95 and Holland 253.¹²

⁸ Ibid. p. 104.

⁹ Ibid. p. 103.

¹⁰ *Anuarul 1990* op cit. p. 230-31.

¹¹ Turnock (1974) op cit. pp. 66-7

¹² *Anuarul 1990* op cit. pp. 354 and 365

Various explanations for the poor performance of Romanian agriculture were offered, the most common being that the sector suffered from consistent under-investment.¹³ Agriculture never received more than a fifth of the state investment budget; in addition, the levels of investment fluctuated fairly widely, making longer term planning difficult. Under the first Five-Year Plan of 1960-65, the sector was allocated 19.5% of the entire investment budget, primarily to shore up and strengthen the many new farms that had been created by the final phase of collectivisation. In the second Five-Year Plan, this figure had dropped to 12.8%.¹⁴

Industry received the lion's share of investment, usually around 40-45%. The determination to expand the industrial base was often at odds with the realities of the international market. The volume of investment in the petrochemical industry, for example, grew throughout the oil crisis in the 1970s with the consequence that 'only 50% of the processing capacity of the petrochemical industry (approximately 34 million tons) was utilised in 1984'.¹⁵ There was a similar story with machinery factories producing goods at below international standards, which meant that the more lucrative western markets could not be exploited.¹⁶

Other analyses of the failures of agriculture emphasised the rigidity of state-centralised planning, and the system of international trade that Romania was locked into. Turnock describes how the first tractors built at Brasov were based on Soviet models and, given the terrain in the country, they 'were extremely cumbersome'. It was not until the 1970s that more suitable Italian-designed models were mass-produced.¹⁷ In the 1980s, when almost the entire economy was geared to repaying the foreign debt, it was impossible to find suitable spare parts for many of the machines imported from the eastern bloc, either because they were no longer made or no longer imported. This meant that around one fifth of all the country's tractors did not work.¹⁸

¹³ The state sector, that is the state farms and the machine tractor stations consistently received more funds than the co-operative farms even though the latter accounted for around 60% of the agricultural land of the country. As in other areas of the economy this regime of subsidies allowed inefficient practices to be left unreformed, causing great problems to the post-Ceausescu government. See Turnock (1974) op cit. p. 239.

¹⁴ Ibid. p.66

¹⁵ Serban Orescu. 'Multilateral Developed Romania: An Overview' in Vlad Georgescu (ed.) *Romania: 40 Years (1994-84)*. Washington. Praeger 1985. p. 22.

¹⁶ Accounts of the economic planning of the regime can be found in Martyn Rady. *Romania in Turmoil*. London. I.B.Taurus. 1994, Trond Gilberg. *Nationalism and Communism in Romania. The Rise and Fall of Ceausescu's Personal Dictatorship*. Westview Press. San Francisco. 1990 and Turnock (1974).

¹⁷ Turnock. (1989) op cit. p. 230.

¹⁸ In 1986, the numbers of tractors in the sector was 145,222. By 1989 this had dropped to 116,658. It was a similar story for agricultural equipment, the number of working tractor ploughs falling from its highest point of 104,171 in

Strict adherence to the national plan was demanded at all times, even when its implementation led to absurd and environmentally destructive conclusions. Romania rejected the trend towards increasing local autonomy in decision making, even though this appeared to have had beneficial effects in Hungary and Czechoslovakia.¹⁹ In 1984 Ceausescu declared to the Thirteenth Party Congress:

We have to bear in mind that we cannot weaken the centralised management of social economic activity based on the central plan.²⁰

Instead, the economic planners aimed at creating ever-greater efficiencies through the application of ever more detailed plans, even though these sometimes appeared to be little more than costly social experiments. In the late 1960s and early 1970s, for instance, it was believed that the greater the size of the operation, the greater were the savings to be made in the consumption of inputs. In 1966 there were 731 state farms; the following year this had dropped to 343 and in 1971 it had dropped further still to 144. The largest farms were in the southern plain regions of Dobrodgea and covered on average 7,600 hectares of land. By 1972, though, the numbers of farms had started to increase again. As Turnock notes, the managers and farm authorities found the giant farms simply too large to handle.²¹

The problem was not so much that farmers were incapable of raising yields or correcting mistakes themselves, but that the strict system of planning discouraged local initiative. Ceausescu's fixation with his own genius often led him to make personal interventions in the design of projects, even though these sometimes ended in disaster. At Anina in south-west Romania, he ordered the construction of a power station fuelled by very low-grade bitumen coal, which was dug out from massive open quarries. Rather than place the power station next to the largest local water supply, as the project advisors had suggested, Ceausescu insisted that water for cooling purposes be pumped 10 kilometres to a purpose-built storage lake. As Deletant points out:

1985 to 67,817 in 1989. *Anuarul 1990*. p. 409.

¹⁹ See more details of the Hungarian agricultural sector see Nigel Swain. *Hungary: Collective farms that work?* Cambridge. Cambridge University Press. 1985.

²⁰ Quoted in Orescu op cit. p. 27.

²¹ Turnock (1974) op cit. p. 212

The ecological damage has been considerable: rivers have been polluted with dust which contains cancerous substances because of incomplete processing, the air has been polluted because the power station chimney was set too low and is inadequately filtered and the landscape has been disfigured by extensive excavation.²²

The distance between the planners and the implementers and the inability of the latter to affect the plans compounded the sense of alienation and frustration amongst those who worked on the farms.²³ The fulfilment of the plan was raised to the level of a loyalty test, with local Party workers making the achievement of the set targets their personal responsibility, regardless of whether they were skilled in farm management or not. Inevitably, the more unrealistic the planners' targets were, the greater the rewards and sanctions for those responsible for meeting them.²⁴ Agrarian reforms took place primarily at the level of the state ministries and departments. According to an OECD report in 1982, attempts to reform the Ministry of Agriculture and to improve co-ordination between different arms of the sector actually 'increased bureaucratic control of agriculture without facilitating any improvement in performance'.²⁵

One of the social consequences of the neglect of agriculture was the growing disaffection of young people. Turnock wrote in 1972 that:

... Talented young people are easily prejudiced against farm employment partly by the experience of 'patriotic' work, with minimal pay and poor working conditions, and partly by the attitudes of parents and teachers.²⁶

Agricultural wages were far lower than those on offer in the towns. Ronnas writes that 'according to official plan figures, the average monthly income in 1985 was to be 2,783 lei for wage workers and 1,787 lei for workers on collective farms', and there were large regional variations in these incomes. Even though collective farms were

²² Deletant. op cit. p. 318.

²³ See David Kideckel's *The Solitude of Collectivism* for an account of the transformation in labour relations in a village in Olt county in the south of the country. For a comparative account of the development of labour on a Hungarian collective farm, see Martha Lampland. *The Object of Labour; the Commodification of Agrarian Life in Socialist Hungary*. Chicago. Chicago University Press. 1995.

²⁴ Information from collective farm officials in both case study villages. Cf Chapters Eight and Nine, pp.146-47 and 177 respectively.

²⁵ OECD. *Prospects for Agricultural Production and Trade in Eastern Europe*. Volume 2. OECD. Paris. 1982

²⁶ Turnock (1989) op cit. p. 214-15/

supposedly free to set their own priorities, in practice, they were subject to strict state control. Turnock describes how:

The state's demands on the co-ops were very heavy in the early 1960s: nearly all the increment in output after 1958 was collected by the state to meet the needs of the plan, and in poor years, such as 1962, farmers were left with little margin for their own needs.²⁷

Reforms were introduced into the pay system. In the 1970s minimum wages were guaranteed and salary structures adopted which took into account more specialised or arduous work. Nevertheless, the drift away from agricultural work continued in that decade, the numbers dropping by over one third.²⁸ By 1980, labour shortages were critical. According to the journal *Revista Economica* in 1981, 34% of those obliged to work for the collective farms that year failed to turn up for a single day. In order to ensure that the work on the farms was done, the authorities turned increasingly to 'volunteer' labour, recruiting students, school children, the army, and even pensioners.

4. In extremis: Agriculture in the 1980s

Many of the structural problems of imbalance and neglect were exposed in the austerity decade of the 1980s. Ceausescu's plan was to repay the country's foreign debt through increased exports and massive cutbacks on domestic consumption. The problem with this approach was that many of the goods produced by the industrial sector were of insufficient quality to generate the amount of foreign currency needed, with the result that the export of agricultural produce increased throughout the decade.²⁹ The debt repayment programme produced all manner of economic distortions. In many instances, Romania used agricultural goods in lieu of currency, entering into direct exchange agreements. Grafton notes for instance, that:

²⁷ *Ibid.* p. 215.

²⁸ Although the reduction in the agricultural population was gradual at first, in the 1970s and 1980s the numbers working in state or collective farms plummeted. In 1950 74.1 % of the working population were engaged primarily in agricultural work, in 1960 this figure was 65.4%, by 1970 it was 49.1%, 1980 it was 29.4% % until it reached its lowest point in 1989 of 27.5%. *Anuarul*. 1990. p. 102.

²⁹ Exports increased at the expense of the domestic market. Imports of agricultural goods fell and rationing spread to more and more goods. For statistical information on these developments see the Abercor Annual Country Reports distributed by Barclays Bank.

To pay for two nuclear reactors from Canada, both worth \$1,000 million, Romania intends to offer strawberries, wine, leather goods and textiles in exchange.³⁰

Rationing of basic foods was introduced in 1981. Later it spread to other foods and items such as gas, petrol and electricity. Even with rationing the basic goods were often unavailable, although those in the state and Party apparatus had few problems obtaining these restricted supplies.³¹

The 1981-85 Five-Year Plan for agriculture set production targets to increase by 4.5-5% every year, while the main cereal export crop was set to increase by 10% every year. The plan was that these gains would be achieved through greater use of fertiliser (set to double by 1985), wider irrigation schemes (covering 60% of land that could be irrigated) and land reclamation schemes which would increase the total arable surface area by 300,000 hectares. In addition, over 350,000 hectares would be made available through the reorganisation of rural settlements.³²

In practice, many of the planners' targets were simply unachievable. In 1980, for example, whilst the planned grain harvest was 24,695,000, the actual harvest was 19,251,000. In 1981 the gap between the planned and the actual harvest was six million tonnes. Import restrictions meant that spares for tractors and agricultural machinery were almost impossible to find. In 1986 there were 145,222 working tractors in the country, whereas by 1989, the number had fallen to 116,653.³³ Machinery imports dropped from \$702 million in 1980 to just \$142 million in 1989. The severe rationing of electricity meant that around one quarter of the land that had been irrigated was abandoned, and by the end of the Communist period there was a return to horse-drawn ploughs and an official endorsement of the manual mowing and reaping of crops.³⁴

³⁰ Paul Grafton. 'Romania's Socialist Agriculture: The Balance Sheet' in Vlad Georgescu (ed.) *Romania: 40 Years (1994-84)*. Washington. Praeger. 1985 p. 35.

³¹ As in other socialist countries, Romania had its own new upper class, who, through contacts and positions were able to live in an apparently different country to their fellow citizens, replete with access to restricted and unavailable goods. In the first few months after the execution of Ceausescu, the reformed media spent many hours opening up the doors to the Presidential palaces and safehouses. For an insider's account of life for those with influence in the Party see the revelations of the former Securitate Deputy Chief Ion Pacepa. *Red Horizons*. London. Heinemann. 1988.

³² David Turnock. 'Romanian Villages: Rural Planning under Communism'. *Rural History* (1991) 2, 1 pp. 81-112, 100.

³³ Anuarul 1990 op cit. p. 403.

³⁴ For a more detailed account of the state of Romanian agriculture in the 1980s see OECD. *Romania: An Economic Assessment*. Paris. OECD. 1993

Farm managers and officials resorted to all manner of schemes, thefts and embezzlements to reach their production targets.³⁵ Sometimes the measures involved reforms on paper, so that land designated as pasture land was in reality used for arable production. In other areas, land might be 'borrowed' from less consequential state sectors, such as the agencies charged with safeguarding sites of special environmental interest. With an increasingly elderly workforce, and without the machinery, many collectives were unable to cultivate all of their land. As crop targets were set according to the amount of land the collective had, they simply transferred portions of their land to the local machine depot or state farm.

The poor wages paid to CAP workers meant that the allotment and garden plots became essential suppliers for both the local and the national economy. Productivity levels on these plots far outstripped those on the state and collective farms. During the 1980s this private sector supplied 60% of the country's milk, eggs and fruit, 44% of its meat, 40% of its grapes and even 14% of its grain.³⁶ This produce fed rural households as well as many of their urban relatives; it was sold and bartered, and was the reason why most families kept at least one of their number working in the collective. The actual conditions for use of this property, though, were dependent on the need for the collective to fulfil its quotas.³⁷ Initially, the provision of the allotments was tied to the fulfilment of working norms, that is the amount of work each CAP worker was assigned under the yearly plans. As the norms were set ever higher in the 1980s, fulfilment became almost impossible. Peasants were forced to approach farm officials in charge with allocating the plots with bribes, with excuses such as sickness and with promises to make shortfalls good in the coming year.³⁸

Even when the year's norms had been fulfilled and permission to use the plots renewed, the property could not be 'quietly enjoyed'. Ceausescu's announcement of a 'new agrarian revolution' in the early 1980s meant that the state increased its control over this private production. In 1984, the right to a personal plot was made conditional on the fulfilment of compulsory delivery quotas, with prices paid below market prices and in some cases, such as livestock production, even below

³⁵ Each of these examples were given in interviews with co-operative farm officials in the case study villages.

³⁶ Paul Grafton. 'Measures and Half-Measures to Stimulate Agriculture'. *Radio Free Europe/Research Report on Eastern Europe*. May 11th 1990 pp. 34-37, p.37

³⁷ As will be shown in Chapter Nine, it was understood that any open criticism of the running of the farm might result in the confiscation of a personal plot. Cf pp.176-77.

production prices. Ronnas points out that these quotas were also imposed 'de facto' on all rural households with gardens, regardless of whether or not they were part of a collective farm. By 1986, the economic plan was further extended with the result that:

.... the personal plots ... were subject to exactly the same type of central planning as state and collective farms.³⁹

Such was the fantastical level of production targets that accounting practices, field reports and statistics were completely divorced from the true level of production. A report by Lloyds Bank on the economic situation in the country in 1988 queried the 'record harvest of 31.7 million tonnes, pointing out that these reports imply an extraordinary 40% increase in the average yield over the previous year.⁴⁰ The provisional government in 1990 revealed the most notorious exaggeration: far from there having been a record harvest of 60 million tonnes in 1989, which the previous regime had claimed, the true figure was closer to 17 million tonnes.⁴¹

5. Urban bias and the creation of socialist man in the homogenous society

Until the communists took power, most Romanians lived and worked in the countryside. By the time of Ceausecu's fall, over half the population lived in towns and cities and the proportion of the population working on the land had fallen to less than one third. Although urbanisation has been a global phenomenon, the Romanian version was heavily influenced by a strict application of Marxist-Leninist principles. In the *Communist Manifesto*, Marx and Engels call for:

The combination of agriculture with manufacturing industries; gradual abolition of the distinction between town and country, by a more equitable distribution of the population over the country.⁴²

The idea of the 'agro-town' which could fulfil some of these combinations originated in the Soviet Union under Khrushchev. The aim was to halt the drift of people from

³⁸ See Chapters Eight Section 6.2. and Chapter Nine Section 5.3 for accounts of the local regimes of use plots.

³⁹ Per Ronnas. 'Turning the Romanian Peasant into a New Socialist Man: An Assessment of Rural Development Policy in Romania. *Soviet Studies* (1989) Vol. 41 No. 4 October. pp. 543-559, 555.

⁴⁰ Lloyds Bank. *Economic Situation Reports - Romania 1988*. London. 1988

⁴¹ See Nestor Radesh. *Romania: The Entangled Revolution*. Washington. Praeger. 1991. p.5.

the villages by raising rural living and working conditions to those of the towns and cities. Traditional housing was rejected in favour of apartment blocks which emphasised the closeness of people rather than their separation into private houses. Planners tried to create employment opportunities outside agriculture by building new civic centres with shops, clinics and leisure facilities. New factories were placed strategically so as to further concentrate peasants in the new settlements.

Since industrialisation was the common pattern of development throughout the socialist bloc, it was not surprising that problems of rural neglect arose in Romania which were similar to those in the Soviet Union. During the early years of the regime, rural policies concentrated on the reform of land ownership and on the attraction of 'surplus' populations into towns and cities. Improved public transport allowed larger numbers of peasants to commute to work in towns, whilst agricultural quotas encouraged many to abandon farming altogether.⁴³

5.1. Migration and Resettlement

The migration of people in search of better living standards has been a constant feature of Romanian development, so much so that 'Romanians have sometimes been seen as nomads'.⁴⁴ The movement and resettlement of sections of the population increased dramatically under socialism, sometimes because of security considerations, sometimes as a by-product of a new economic policy, and other times through direct social engineering. An example of the former occurred during collectivisation, when deportation and resettlement were used as a means of punishing dissent and dispersing potential opposition. Turnock gives an example of the latter from the Baragan region near the Yugoslavian border. During the Soviet-Yugoslav crisis in the late 1940s, the Romanian government ordered the mass resettlement of hundreds of ethnic Serbs who, it was feared, might pose a security risk. Hostility to collectivisation led to widespread deportations of families throughout the 1950s. Not only were peasants separated from their families and neighbours, under the law all the goods left behind were confiscated and transferred to the 'people'.⁴⁵

⁴² Quoted in Deletant *op cit.* p. 296.

⁴³ Cf Chapter Four pp. 61-62.

⁴⁴ Though Turnock points out that this has been 'vigorously rejected on the grounds of permanent settlements and the key role for agriculture' Turnock (1991) *op cit.* p.81

⁴⁵ Article 3, Section 1 of Decree No. 218 of July 1st 1960 provides that 'the right of any action which has the principal

Nationalisation sometimes caused population movements. The transfer of the forests into state control in 1948, for example, forced many to seek alternative employment.⁴⁶ Those private wood workshops, which had not been expropriated, were heavily taxed and, as Turnock points out, 'gradually disappeared as younger people found the wage levels of the urban based factories more stimulating than an uncertain future in a rural workshop'.⁴⁷

In the later stages of the regime, planning decisions were more sensitive to the impact they might have on internal migration. Orescu illustrates this policy with the example of:

The rather peculiar location of an iron and steel plant at Calarasi, in the richest grain-farming zone of the Baragan.⁴⁸

In an attempt to reverse the exodus of young people from the villages, the state insisted on directing new graduates to their first place of work, which could be in any part of the country needing teachers, engineers, doctors etc. Decrees 24 and 25 from 1976 gave the authorities power to direct all labour by ordering citizens to take employment wherever they were directed.⁴⁹

In Transylvania, there were allegations that these policies had an ethnic bias. Schopflin argues that 'in practice, there appeared to be a conscious effort to settle Romanians in Hungarian areas and to appoint them to jobs that Hungarians could have done equally well'.⁵⁰

objective of restoring in kind or in equivalent, a good which has entered, before the date of publication of this decree, into the possession of the state, or any co-operative organisation or other such public organisation, either without any title, or under the provisions of Decree 111/1951, such an action is limited to two years calculated from the day in which it first entered into possession'. Quoted in Paul M. Cosmovici. *Drept Civil - Drepturi Reale, Obligatii, Legislatie*. Bucuresti. Editura All. 1996. p. 25.

⁴⁶ The 1948 Constitution declared that the forest forms part of the patrimony of the people and as such should be controlled by the representatives of the people. It also stipulated that following the introduction of the constitution separate laws would be passed detailing the precise manner of nationalisation and the question of compensation to the former owners etc. In fact, as Oanta points out, whilst there were laws nationalising the railways and the factories and the mines, there never was a formal law or decree enacted which transferred the ownership of the forests out of private hands. Although the state was the effective owner, the legal basis for its claim was never established. Interview conducted with Mircea Oanta, Silvic Engineer, special advisor to the National Peasants Party and founder member of the Association of Owners of Private Woods in Romania. Cluj Napoca. August. 1996.

⁴⁷ Turnock (1991) op cit. p. 87.

⁴⁸ Orescu op cit. p.13.

⁴⁹ Ibid. p. 15.

⁵⁰ George Schopflin. *Romania's ethnic Hungarians*. 2nd edition. London. Minority Rights Group. 1990. p.15.

5.2 *Sistematizare*

No English translation can adequately convey the full flavour of this word.

Sistematizare is primarily a planning term which emphasises the co-ordination of social and economic life to establish an 'optimum combination' of facilities, a 'rational' use of natural resources and a standardisation of everything from allotments to town centres. Many commentators see *sistematizare* as the epitome of Ceausescu's rule.⁵¹ Turnock argues that any attempt to understand this policy must bear in mind the personality of the President himself. The son of uneducated peasants, Ceausescu himself had very little formal education. His programme of rural modernisation embodied a complete rejection of the disorderliness and superstition of rural life, offering in its place communities which would 'fully dominate and control the individual'. In them peasants would change 'their way of thinking, their behaviour, their customs, their practices and even their little habits'.⁵²

Sistematizare aimed to discourage urban migration. The main method was to 'upgrade' village settlements into the status of urban areas and, as Turnock puts it, there was no doubt that in many places 'rural life [had become] more comfortable thanks to the growth of urban influence'.⁵³ By 1970 every *comuna*, covering an average of 4-5 separate villages, had its own general store' medical facility and commercial organisation and some 80% of all villages were supplied with electricity. Villagers might secure further improvement if their *comuna* achieved urban status, which would bring with it civic centres, hospitals, schools, cultural centres, apartment blocks and other 'major edifices of public interest'.⁵⁴ The programme adopted at the 1972 Romanian Communist Party Conference in July 1972 anticipated that between 300-500 new towns would be created in this way.⁵⁵ In the words of the 1976-80 Five-Year Plan these new towns:

would form gravitational and polarisation centres for the surrounding rural zones diminishing the essential differences between village and towns.⁵⁶

⁵¹ Deletant for instance argues that there is 'no better example' of the leaders autocratic rule. Deletant op cit. p. 294.

⁵² From Radio Free Situation Reports from 1987 and 1988. Quoted in Turnock (1991) pp. 100-102.

⁵³ Ibid. p. 83.

⁵⁴ Ibid. p. 91.

⁵⁵ Ronnas op cit. p. 543.

⁵⁶ *Directives of the Eleventh Congress of the RCP concerning the 1976-80 Five Year Plan and Guidelines for the Economic and Social Development of Romania in the 1981-90 period: Draft 1974.* (Bucharest) 1951. Quoted in

Sistematizare was a policy which favoured certain settlements over others. Some of the more isolated or dispersed settlements were designated as unsuitable for improvement. In its later stages, the systemisation programme proposed the demolition of these 'non-viable' villages together with many that were 'viable'. In the 1970s, however, settlements which were passed over were allowed to die 'a natural death', albeit a little assisted. Under the law on physical planning in 1974, for example, building perimeters were created around every village beyond which no further development could take place.⁵⁷ Those unfortunate enough to be living in the perimeter zone were prohibited from carrying out any building repairs.

Ceausescu believed that if the villages looked like the towns and offered a range of employment opportunities, younger and educated peasants would decide to stay or, after university, return. The problem was that other state policies undermined the planners' attempts to improve rural living standards. According to Gilberg, there was a

. . . conscious creation of a political and societal ethos that emphasises urbanisation and industrialisation, thereby denigrating the agricultural sector and rural life to a secondary and less important position in the collective psyche of the new order.⁵⁸

The slow pace of rural reform in the 1970s and the continued growth of the urban population led the authorities to resort to coercion. In March 1988, Ceausescu announced a radical extension of *sistematizare* through the halving of the number of villages in the country, and the demolition of the rest.⁵⁹ Estimates of the costs of the policy projected that two million new apartments would have to be built and five and a half million people rehoused by the year 2000. In all, the programme would have involved the demolition of between 5,400 and 6,400 villages.⁶⁰

In practice, the plans failed. Although many new settlements were built in the 1970s, the number fell far short of the target prescribed by the plan. Rather than the 300-500 new towns aimed for only 129 rural settlements were upgraded into agro-industrial towns. Ronnas notes that:

Turnock (1991) *op cit.* p. 91.

⁵⁷ Law 58 of November 1st 1974 'Providing for the systemisation of urban and rural localities'.

⁵⁸ Gilberg *op cit.* p. 123.

⁵⁹ Ronnas *op cit.* p. 546.

⁶⁰ *Ibid.* p. 545.

In a second stage, initially scheduled for 1981-85, some 140 additional rural localities were earmarked for development into agro-industrial towns....In reality, 28 new towns have been declared by mid-1989.⁶¹

Many of the new towns were poorly constructed, with apartment blocks built quickly and peasants moving in before running water or electricity had been installed. A further disadvantage was that no provision was made for the new settlers' animals. With an average allowance of 250 square metres per apartment, for many peasants the move 'represented a traumatic change in living conditions'.⁶² As a result, many peasants were reluctant to leave their homes even if they happened to live in a 'non-viable' village. In some parts of the country, the authorities enforced the planning regulations loosely, allowing peasants to carry out repairs to their houses.

Sistematizare attracted a great deal of bad international publicity. Once again, there was the allegation by Hungary that the policy would impinge harshly on the ethnic Hungarian population, destroying their distinctive villages and traditions. There was no direct reaction to these campaigns, though in November 1988 Ceausescu reaffirmed his commitment to the policy, albeit without confirming the deadlines.

Perhaps the main reason why *sistematizare* failed was the catastrophic state of the domestic economy. The obsessive drive to repay the foreign debt at the expense of all else was one of the key reasons for the fall of the dictator. Even if Ceausescu had pursued the policy more vigorously, it would still have failed. Writing in 1989, Ronnas points out that:

At the present rate of construction, it would take almost 200 years to construct the dwellings necessary to accommodate all those who, according to the programme, will be resettled in the course of the next twelve years.⁶³

⁶¹ Ibid. p. 545.

⁶² Turnock (1991) op cit. p. 102.

⁶³ Ronnas op cit. p. 547.

6. Personal and public property under socialism

In the final section, we shall examine some of the main features of the legal and social regime of ownership under socialism. Socialism transformed traditional legal and cultural ideas of property. Under Romanian central planning, everything was of potential interest to the state. Even what was grown in a peasant's back garden was subject to direct state control. The fundamental rule of property was that quiet enjoyment was tolerated only to the extent that it fitted within the interests of the state.

Under socialist law, there were three main types of property, each with its own distinct legal features.⁶⁴ Private property was guaranteed under Article 9 of the 1965 Constitution. Many people, particularly in the villages, owned their own houses and gardens which they were allowed to sell or pass on through inheritance. Absolute control over private property was qualified in practice, though owners of larger, desirable houses, for instance, could find their property confiscated by the authorities and simply reallocated to the Party faithful.⁶⁵ As in the late 1940s, the state restricted the growth of private property by making all those who moved into the towns and cities tenants of the state. The other main type of personal property was enjoyed under a form of conditional licence, which could be revoked or modified almost at will.⁶⁶ Each peasant household working for the collective was allocated a small personal plot, usually around 20-30 ari in size, upon which he could grow what he wished – at least in theory. Those working for a factory or for the state farms were also entitled to one of these allotment plots.

As we saw in the last chapter, there were a number of ways in which land that was previously private could become public.⁶⁷ The 1948 Constitution enabled the transfer of the principal means of production into state hands and helped create a new form

⁶⁴ Article 6 of the 1965 Constitution provides that the two main kinds of property in the country are state property and co-operative property. The former belong to the people while the latter belong to the members of the co-operative. Personal property is restricted to homes and the land upon which they are built. Jan F. Triska. *Constitutions of the Communist Party States*. Stanford. The Hoover Institution on War, Revolution and Peace. Stanford University. 1968. pp. 378-394. For a post-Communist analysis of property rights under Communism see Cosmovici op cit. pp.21-23.

⁶⁵ Many of the country houses used by the Party for entertainment purposes were previously private property, and many of the former owners have sought them back now the Communist are no longer in charge.

⁶⁶ Article 9 of the 1965 Constitution provides that the household use plots are the property of the co-operative and do not establish any individual property rights. Cf n.39.

⁶⁷ Although the last chapter detailed some of the principal means whereby private property became state property there were other ways. Under Decree 111 from 27th July 1951 all property of those who had died intestate passed into the state's hands, as did all property confiscated following the imposition of fines. Under Law No 63 of 1974, goods which were designated as being part of the national cultural patrimony became state property.

of public property, which was both indivisible and inalienable. Under subsequent decrees, such as Decree 199 of 1949, state enterprises were given the right to administer public property under conditions of 'collective leadership' and 'operational independence'.⁶⁸

Under socialism, there was a third type of property, involving collective ownership of the means of production. The control of such properties was vested in an elected General Assembly and an executive steering committee. In practice direct worker control was limited. All socialist enterprises were subject to the national economic plans and the direction of the local party. Unlike state property, collective property was divisible. Collective farms, for example, were sometimes forced to give up some of their lands to other state enterprises. However, non-party officials were more reluctant to interfere in the running of the collective. Verdery quotes a mayor who, when asked whether he felt entitled to interfere in the workings of collective farms, said he did not and was unable to recall a time when he had wanted to.⁶⁹

The marginalisation of the legal system under socialism meant that practice did not always develop in line with property law. One key question was whether collective farms had the legal capacity to allocate property rights to those who had not brought land to the farm. With the loss of many of the original members to other jobs, collective farms depended upon migrant labourers to whom managers needed to allocate apartments and gardens. Those who had only brought tiny amounts of land when they first joined the farm, had similar claims on the collective, as did those who required land for allotments.

Under central planning, locally owned land, whether by a *comuna*, a town or municipality became state property when needed. As we have seen in the earlier chapters, there were many different juridical owners of land in Romania before the Communists. The majority of them were forced to donate their land to the state, or to the collectives in the first wave of collectivisation. The local administrative authorities, though, held on to their own land, and a complex regime of municipal, communal and village-based actors controlled land both inside and between settlements. As part of the attempts to curtail rural-urban migration through the

⁶⁸ The phrases comes from the Romanian entry in an encyclopaedia of the world's legal systems written in 1971. According to the author they are the main principles by which property relations between different public property 'users' are governed.

construction of new towns, Law No. 19 of 24 June 1968 transferred the ownership of the land on the perimeter of villages to the state, whilst Law No. 58 of 1st November 1974 introduced the regime of systemisation of rural and urban territory.⁷⁰

7. Conclusions

Collectivisation of ownership and the systemisation of urban and rural settlements in Romania went further than in possibly any other socialist state in eastern Europe in rejecting customary peasant life. Nevertheless the peasants' independence was not totally crushed and the countryside was not turned into a series of jerrybuilt apartment blocks. Save for a few unfortunate examples near the capital, Ceausescu's plans for razing half the nation's villages came to nothing. The transformation of the rural economy under socialism was more sweeping. The proportion of the workforce employed in agriculture fell from 70% in 1948 to 27% in 1989 and family farms were replaced by large collectively owned farms. Production was modernised with agricultural machinery and fertilisers being made in Romania itself. Despite under-investment, the sector was a key exporter, making major contributions to the government's attempt to repay their foreign debt in the 1980s.

The regime of central planning created a system which discouraged initiative and, in many cases, ignored gross inefficiencies. For peasants on a collective farm central planning entailed late payment or non-payment of farm wages together with the theft of produce from the back garden.⁷¹ Such treatment inevitably bred cynicism and contempt amongst the workforce, leading to an exodus from the rural areas and the creation of modern apartment block cities. In the villages, the planners tried to make people stay by making the countryside more like the towns. Under Ceausescu, the objective became to 'liquidate the essential differences between the towns and the countryside'.⁷² With *sistematizare*, they showed that, ultimately, the only way this could be achieved was through force.

⁶⁹ Verdery (1995) op cit. p. 1088

⁷⁰ Both were amongst the very first laws to be annulled by the new post-Communist government. Law 19 was annulled by Decree No. 1 of 26 December 1989 and Law No. 58 by Decree No. 4 of 29 December 1989. Ronnas op cit. p. 545.

⁷¹ See Chapters Eight and Nine pp.144-47 and 177 respectively

⁷² Quoted in Ronnas op cit. p.547.

Chapter Seven: Land and Agrarian reform after the fall of Ceausescu

1. Introduction

With the arrest and execution of the Communist leader, Nicolae Ceausescu, many of the props that had held up his regime collapsed.¹ The Army defected and, after some bloody street fighting, the *Securitate* sided with the reformers. For the population, everyday life changed dramatically. The rationing of food ended and energy supplies were re-directed towards the needs of the domestic population. Television presenters asked to be forgiven for having played a part in the former regime's propaganda. Throughout the country new political organisations began to appear. All political positions were represented - monarchists, environmentalists, Christian democrats, nationalists; the re-emergence of 'historic' parties such as the National Peasants and the Liberal party also occurred. In the capital, within hours of the capture of Ceausescu, a Provisional Ruling Council assumed power.² The National Salvation Front (FSN) chose ministers and an interim President and set about the task of ending the fighting that was still taking place. In its first legislative actions, it annulled those laws which had been particularly resented, such as the restrictions on movement, the ban on abortions and the plans to demolish half the country's villages.

The wider ten-point programme of the FSN echoed those of the other coalitions in former socialist countries. They promised multi-party elections, the end of central planning and committed themselves to raising living standards for ordinary Romanians. Although the country accepted the humanitarian aid that flooded into the country, in 1990, the longer term prosperity of the country was sought through accession to the European Union.³

¹ Whether it was a revolution, a palace coup or some other form of hijacked uprising is beyond the scope of this study. There are a great number of studies written by both insiders and outsiders concerning the events which led up to the execution of Ceausescu and the establishment of a new provisional government. These studies include a parliamentary inquiry ordered by the President. For the most recent investigation in English see Peter Siani-Davies. *The Romanian Revolution. Myth and Reality: Myth or Reality*. Unpublished PhD Thesis. School of Slavonic and East European Studies. University College London. 1999.

² This was the name given to the group of reformers and dissidents that claimed and secured political and military authority on December 22nd in the capital, Bucharest. For a description of their composition and the background of their members see Rady op cit. pp. 132-144.

³ The images formed by these visitors played a major role in the portrayal of the country as amongst the most deprived of the former Communist states. The first pictures of abandoned children, massive pollution and widespread food shortages caused a huge aid response from all over Europe. International aid both from private and state sources, poured into the country, sometimes in the expectation that famine was imminent. In reality, the reports that almost five million people faced starvation were wildly off the mark. 'Confusion over Food Needs'. *The Guardian*. January 25th 1990.

However, Romania's transition from totalitarian rule was different from its neighbours. Unlike the others, there were no round table talks with the former leaders, no blanket bans on former Communist officials serving in high office and no opening up of the state archives, particularly the files of the *Securitate*. Instead, in an echo of the rule of Ceausescu, a personality cult surrounding the new President Iliescu appeared. In the first few months of 1990, on the main state controlled television stations, there was a campaign to lay the blame for all the country's problems on the shoulders of Nicolae and Elena Ceausescu rather than on the system they oversaw. It was not long before dissatisfaction with the Front became public. There were allegations that the revolution had been hijacked, and that the new leaders were committed to reforming state socialism rather than dismantling it. There were widespread criticisms of the first elections held in May. The FSN control over state media ensured its message dominated and, even though they had initially promised to be only a caretaker government, they announced in March their decision to run for government. In the final vote, the FSN and their presidential candidate, Ion Iliescu, scored 67% and 85% of the vote respectively.⁴

In the rural areas, Ceausescu's fall was received differently. In some places, state officials were forced to flee and the offices of the Party and CAP buildings were ransacked. In many other villages, the revolution was quieter and what transfers of power did take place passed by relatively peaceably. Kideckel describes the unfolding revolution in Olt county, in the south-west of the country:

Villagers first heard of the revolution either on radio, at their factories, or in messages from relatives in [the nearby town of] Fagaras on the twenty-first. Most commuting villagers left Fagaras that day to avoid the evening demonstration, hurried home to share their knowledge with their families and then spent the next few days glued to the television.⁵

⁴ Though state television channel had been freed from its crude propaganda role, the habit of uncritical support had not died. For many in the country, especially in the rural areas, the state TV channels were the only means of finding out about events in Timisoara and Bucharest. In the first few months of 1990, the execution of the Ceausescus was shown frequently, as were endless revelations about their real school qualifications, their extravagance and speculations on the size of their personal wealth. When demonstrations against the FSN became more vociferous, the latter was careful to ensure that pictures of the crowds and the intervention of the police were not shown on state TV. Similarly, in the run-up to the May elections, the FSN were able to secure prime air time for their broadcasts, and generally favourable treatment by the TV. For a critical account of the first multi-party elections, see Gallagher op cit. pp. 99-104.

⁵ Kideckel op cit. p. 214.

To many peasants, the revolution became an opportunity to right the wrongs committed during collectivisation. The fall of the Communist Party was a chance to return to their old plots and to work independently once again. As in the towns and cities, much of the initial popular unity dissolved as different interest groups appeared, for instance, old peasants who wished to return to the pre-Communist system, opportunists who saw the profits that could be made in the turmoil and those who were, in political terms, indifferent so long as they were economically secure.⁶ In 1990, the FSN's ability to direct local economic and political reforms was limited. Many of the main decisions concerning how ownership would change, what would happen to the farm and who would be entitled to share in the goods, were settled locally with little, or no, regard to the new politicians in Bucharest. Throughout the year before the passage of Law 18 in February 1991, spontaneous acts of reform took place throughout the country.⁷ The events of 1990 will be examined in more detail in the two case studies. In this chapter, though, the emphasis will be on government attempts at ownership reform.

2. Mixed messages – stemming the demise of collective farming

After the years of mass exports, the FSN banned any further exports and ordered that the warehouses which were full of produce destined for abroad be opened and their contents sold on the domestic market. The actual extent of the population's food needs was difficult to gauge at this time, partly as a result of falsified reports and, partly, from the chaotic nature of local authority. In an effort to stimulate domestic food supplies, the FSN removed restrictions on where goods could be sold and the price that they could be sold. In a measure which simply confirmed what had already taken place, Iliescu announced that collective and state farms were no longer bound by the production plans and that, in future, they were free to set their own wages. Although there was mention of reform, there was no clear FSN endorsement of the abolition of collective farms.⁸

In January, the new Minister for Agriculture, Victor Surdu, declared that agricultural reforms would be primarily for the benefit of the domestic population. Agriculture, he

⁶ This was summed up by a peasant who when asked who he would vote for in the 1990 elections, asked 'who is the President now?', 'Iliescu' replied the interviewer, 'OK, I'll vote for him then'. Quoted in Lycett op cit. p. 76.

⁷ See for instance Kideckel (1993)

⁸ For an analysis of the situation in the countryside in the first few months of 1990 see Grafton (1991) and Topor (1991).

said, could not only make the country self-sufficient, it could also provide it with an export market. However, much to the disappointment of many in the villages, he claimed that the basic organisational units for farming should remain the collective and state farms.⁹ In March, Prime Minister Petre Roman said that it was conceivable that major agrarian reforms would have to wait for two to three years, to 'see how agriculture develops'.¹⁰ This reluctance to abandon collective farming was echoed by Illiescu who warned that the total privatisation of agriculture would destabilise production and would lead to the recreation of a system of large landed estates and landless labourers. For Illiescu 'co-operation assures strength, competitiveness and modernisation'.¹¹

Given this position, it was not surprising that the first redistribution of CAP land assuaged some of the peasant demands without undermining the collective system. Decree No. 42 raised the size of the plots for personal use to a maximum of 50 *ari* and the land upon which peasants houses were built was declared to be the private property of the occupants (so long as this was no more than 60 *ari* in size).¹² In addition the CAP General Assembly was permitted to create personal use plots of no more than 50 *ari* for the benefit of the workers of the machine tractor stations (MTS), agricultural engineers associated with the co-operative and, perhaps ambitiously, those who might actually wish to join the CAP at this stage. If there was sufficient land, the Assembly was entitled to distribute up to 25 *ari* to peasants from neighbouring villages. In return, these beneficiaries had to agree to pay income tax on the amount of produce grown and to cultivate the land appropriately.

These measures were clearly aimed at ensuring that at least some spring planting took place. All the new plots allocated were issued on a 'long term use' basis rather than absolute ownership. In hillside and mountainous areas, however, co-operative farms were permitted to dismantle their farms altogether. The General Assembly could split all the land into long use plots, distributing the land to members, MTS workers, engineers and those wishing to return or begin agricultural work. As in the Communist period, the limit on the size of these plots was set by the amount of land

⁹ Grafton (1990) op cit. p. 34.

¹⁰ See M.O. No. 8-9 March 16th 1990.

¹¹ Ieri la Parlament. *Romania Libera*. March 14th 1990 p. 3.

¹² Grafton (1990) op cit. p. 33-4.

a family could work without employing any extra labour.¹³ Through this Decree, Prime Minister Roman declared that three million hectares of land had been distributed to the peasants.¹⁴

3. Reformed socialism

The FSN's economic programme has been documented in detail elsewhere.¹⁵ In outline, rather than remove all subsidies, liberalise prices and allow foreign investors unrestricted access to domestic markets, a strong state sector was maintained and only limited privatisation measures introduced. With this gradualist approach to reform, Prime Minister Roman declared the re-vitalisation of agriculture 'vital', especially bearing in mind the 'insurmountable difficulties' the country faced in reforming other sectors of the economy.¹⁶ Already, slumps in production had meant that the country was forced to import significant amounts of food in 1990 and 1991.¹⁷ Yet their general weakness in the countryside meant that, in the short term, the authorities could do little but 'look the other way as some CAPs dissolved themselves and returned land to their members'.¹⁸ However, bar the liberalisation of prices for certain peasants goods, there were very few reforms which were introduced in 1990 to encourage the development of small scale peasant farming.

¹³ Article 1, D. 42 M.O. 17 January 29th 1990. This is not to imply that this method of fixing land sizes originated under the Communist regime. As Henri Stahl describes in the famous 1930s study conducted in 60 villages under the supervision of the sociologist Dimitri Gusti, it had long been held as accepted practice in villages that a family would not be allowed to claim more land than they could feasibly work. In respect of clearing parts of the forest for instance, Stahl relates how in one village, the limit on how far ownership could be extended was determined by the length to which the head of the household could throw an axe. Should a family attempt to enclose a larger site than this, they might well find that the other villagers turn up and simply pull down the offending fence. See Stahl op cit. p.56.

¹⁴ Grafton points out that it is unclear whether this includes the 900,000 hectares of personal use plots already leased out to peasants. Grafton (1991) op cit. p.35.

¹⁵ See for instance Dimitri G. Demekas and Moshin S. Khan. *The Romanian economic reform program*. Washington DC: International Monetary Fund. 1991. Örjan Sjöberg and Michael L. Wyzan (eds.) *Economic change in the Balkan states :Albania, Bulgaria, Romania and Yugoslavia*. London: Pinter. 1991, *Romania :an economic assessment*. Paris: OECD Centre for Co-operation with the European Economies in Transition. 1993 Yves G. Van Frausum, Ulrich Gehman and Jurgen Gross. 'Market Economy and Economic Reform in Romania: Macroeconomic and Microeconomic Perspectives' *Europe-Asia Studies*, Vol. 46, No. 5, 1994, 735-756. For regional economic studies see Marie Lavigne. *The economics of transition :from socialist economy to market economy*. Basingstoke: Macmillan Press. 1995 and Jeffrey Sachs and Wing Thye Woo (eds.) *Experiences in the transition to a market economy*. San Diego; London: Academic Press. 1994.

¹⁶ See Grafton op cit p. 35. Freeman argues that agriculture had a 'key part to play in determining the success and speed of transition'. Increases in productivity, he contends, may free up labour for the development of other vital sectors of the economy, such as services to agriculture. Making the agricultural sector more efficient may then allow it to increase its export potential, although 'there is a big proviso and that is market access'. R D Freeman. Policies for trade and investment in eastern Europe. from Miller. F. A (ed.) 1993. *Eastern Europe: Opportunities and needs for food and agriculture*. CAS Paper 27. Reading: Centre for Agricultural Strategy. p. 116.

¹⁷ However, in 1990 and 1991 wheat imports amounted to 200,000 tonnes and 425,000 tonnes respectively. Romania imported grain worth \$205 million in 1991, whilst grain exports amounted to \$12.3 million. *Trade Policy Review - Romania 1992*. General Agreement on Tariffs and Trade. Geneva. March 1993 Volume One. p. 93.

¹⁸ Kideckel (1993) op cit. p. 209.

All the main inputs which were needed for effective farming were controlled by the state. As in so many parts of the Romanian economy, the relevant state enterprises were organised to service large scale operations. They issued fertilisers and herbicides in bulk, agricultural machinery was almost entirely in the hands of the machine tractor stations, and the state purchasing enterprises, such as ROMCEREAL, bought directly from the farms. Although the greater autonomy granted to the MTS in 1990 allowed them to enter into private contracts, by the middle of 1990, the fees for hiring tractors etc. were prohibitive for a majority of private farmers.¹⁹ The peasants, without capital, machinery or legal title, were in a poor bargaining position. And it must not be forgotten that while there were many who reclaimed the land and returned to strip farming, there were also many who did not wish to become private farmers. As Turnock points out:

Many of the state and collective farm workers feel threatened by the privatisation process which may mean the loss of a secure job. Many of them do not want to take the risks inherent in private farming.²⁰

This uncertainty was to the FSN's advantage.²¹ Other political parties had appeared, including the old Peasants' Party, led by the veteran peasant leader Corneliu Coposu.²² Yet, their overall effectiveness was undermined by the control which the government exercised over the media. Turnock argues that it was 'a simple matter for the regime's supporters to misrepresent alternative views about land reform and economic management'.²³ A further impediment on the dismantling of the collectives was the presence of the old *nomenklatura*. These former managers and officials operated as a powerful block on the radical free market reforms which were advocated by the international financiers and economic experts.²⁴ Many were able to use their contacts and networks to consolidate their positions in the villages and

¹⁹ Ibid. p. 220.

²⁰ Quoted in Turnock (1993) op cit. p.7.

²¹ Kideckel reports how peasants in the Ol't land region near Brasov complained that private agriculture made no sense if the land could be taken back at a moment's notice. Kideckel op cit. p. 218-222.

²² See Gallagher op cit. especially pp.144-93.

²³ David Turnock 'Agricultural change in the Romanian Carpathians'. Leicester University Discussion Papers in Geography. No. G93/2. March 1993. p. 32.

²⁴ The authors of a Trade Policy Review for the General Agreement in Tariffs and Trade for instance, wrote with concern that 'By adopting a tariff based trade regime with few non-tariff barriers, the authorities appear to let world market signals assist in the restructuring of domestic industries. However, interest groups seeking protection from foreign competition are likely to seek restrictive import measures, which may be presented as a less costly substitute for financial support to maintain employment in industries of doubtful viability.' GATT (1993) op cit. p.7

agro-towns.²⁵ Given the structure of Law 18/1991 and its redistributive objective, this last aspect was of considerable importance.

4. Law No. 18/1991

The Law on Agricultural Resources was enacted in February 20th 1991.²⁶ It is a backward looking piece of legislation in the sense that it re-evaluates many of the actions of the Communist regime. It is also forward looking in the sense that it lays the foundations for a new rural economy. In terms of both of these aims, the Act suffers from weaknesses. In some places, its exclusion of a group from compensation appears to be arbitrary whereas, in others, its methods for dividing assets appear to undermine the viability of one type of farming.

Despite the FSN's political dominance and the marginal role played by the peasantry in the framing of the law, Law 18/1991 confers on the village authorities the right to decide who receives land, where that land will be and how much land they will receive. In this sense, righting the wrongs of Communism was made into a local matter.²⁷

On the other hand, there is a clear predisposition in several provisions of the Act towards large-scale, collective farming. 'From a technological point of view', Prime Minister Roman explained at the start of the Parliamentary debates, 'exploitation of a

²⁵ The dismissal or non-dismissal of former state managers was clearly a crucial factor in the reform process. Not only did they have access to capital and machinery that others did not, they could also be in position to conceal incriminating material. As no hard and fast rules were made at state level, the question of changing the authorities were dealt with at the local level. Sometimes the actions were violent and were all over within a matter of days. In other cases the eviction of a particularly loathed official would be peaceable, but in many cases there was no substantial change in the persons running local authorities. For the experience in the two case studies see pp.147 and pp.178-79. The extent to which the FSN colluded in this process is very difficult to establish. For an account of a lawyer who became joined the local FSN only to resign shortly after see Elod Kincses. *Black Spring: Romania's Path from Revolution to Pogrom. December 1989 March 1990.* 1992.

²⁶ Law 18 M. O. no. 37, 20 February 1991. For commentaries on the Act see Topor op cit., and David C Henry *Agricultural Land Reform in Romania.* LSE. Pamphlet Collection. Coll. P.1162. 1992.

²⁷ There are many scholarly works which consider the moral, political and practical aspects of restitution and compensation. The most comprehensive treatment of the issues can be found in Istvan Pogany. *Righting Wrongs in Eastern Europe.* Manchester University Press. 1997 and Claus Offe, *Variations of Transition.* Oxford. Polity Press. 1996. Other books dealing with particular aspects of restitution and compensation include Tina Rosenberg. *The Haunted Land - Facing Europe's Ghosts after Communism.* London. Vintage. 1995 concentrating on examples from the former Czechoslovakia, the former GDR and Poland, The Institute of Jewish Affairs examines the treatment of Jewish claims for compensation in the region in Research Report No. 2. *Jewish Restitution and Compensation Claims in Eastern Europe and the Former USSR.* London. Institute of Jewish Affairs. 1993. On the politics and legality of lustration see the Law and Society's special issue @@@, whilst for the constitutional monitoring of compensations laws see Peter Paczolay, Judicial Review of the Compensation law in Hungary. *Michigan Journal of International Law* Vol. 13 (Summer 1992) pp. 806-831. For a brief general overview of privatisation of property in central and eastern Europe see Andrzej K. Kozminski. *Restitution of Private Property; Re-privatization in Central and Eastern Europe.* *Communist and Post-Communist Studies* Vol. 30, No. 1, pp. 95-106. 1997.

large surface area of land ... would be preferable'.²⁸ Illiescu was reported to have said that :

.. the application of the land law should in 'no way hinder' the continuing agricultural activities of the season and that co-operatives would be disbanded 'only where necessary'.²⁹

During the implementation of the Act, there were allegations that peasants were, once again, being pressured into joining 'voluntary' farming organisations. Topor describes how official endorsement of associations sometimes took the form of creating standard request forms for peasants to lease their land to associations. In the newspapers, at the time, there were reports of private farmers suffering harassment such as the refusal to rent out machinery or charging extortionate prices for services.³⁰ The following sections examine the main provisions of the Act in more detail.

4.1. General Points

The Act preserves several of the main features of socialist agriculture. Under the previous regime, production was divided between collective farms, state farms and a small private sector. In formal legal terms, state farms were the property of the Romanian people, whilst collective farms were amalgamations of private holdings and remained the property of their owners. State farms were, in general, larger and benefited from higher levels of investment. The land used to create them had been confiscated, expropriated or donated to the state. In 1990, these farms accounted for around 28% of the total agricultural surface of the country. In order to preserve this sector, the state sector was exempted from restitution claims. Under Decree 15/1990, many state farms were reorganised to become joint stock companies, the state retaining one half of the value of the farms assets and the rest being divided amongst the employees.³¹ Under Article 36 of Law 18/1991, former land owners were issued with shares in this new company in proportion to the amount of land they once possessed.

²⁸ See Petre Roman. *Raport privind stadiul aplicării reformei economice și necesitatea accelerării acesteia*. Bucurest. 1990. p 21

²⁹ Topor op cit. p. 39.

³⁰ Ibid. p. 39.

Law 18/1991 did not allow for a complete restoration of the property rights of former owners, even for those whose land was within the collective sector. Article 9 provides that the maximum amount of land which could be reclaimed was ten hectares. Secondly, there was no guarantee that a former owner would receive the same parcel of land with which he had entered the collective.³² Law 18/1991 only provides for natural restitution where the property is situated on the hillsides. Where the land is on the plains, Article 13 provides that exact restitution is an objective, but that this will not be necessarily be achieved in all cases.³³

The Act created administrative mechanisms which emphasised speed and local accountability. The Prefect established local Land Commissions to implement the law, supervised on a day to day basis by the local Mayor. Each Commission had to contain at least four elected members of the village, the mayor, his secretary, agricultural engineers and topographers. All their decisions were reviewed by the County Land Commission.³⁴ The grounds for appeal to the higher state courts were limited. The state *Tribunal* was only entitled to decide inheritance disputes, cases in which the rights of the claimant to land were challenged, cases where a claimant rejected the location of the land received and, finally, where a peasant claimed that the Land Commission had reduced the size of his claim unlawfully.³⁵ Apart from cases of disputes amongst heirs, the decision of the Tribunal was final.

Initially, claimants were only given 30 days to submit their claims. Following complaints from opposition parties, this was later extended to 45 days.³⁶ Each

³¹ Ministerul Agriculturii si Alimentatiei. *Evolutia sectorului agroalimenta in Romania. Raport anul 1997 al Ministerului Agriculturii si Alimentatiei*. Bucuresti. 1998. p. 30.

³² By way of contrast, in Bulgaria, restitution was initially proposed to be via the formula of returning land of 'equivalent value and quality in the territory of the relevant village'. This was later amended by the Dimitrov government so as to allow the return of land 'within its real boundaries, where such exist or can be established'. Under the Berov administration, de-collectivisation proceeded according to a return of land within its "ideal" boundaries. See Michael Wyzan "Bulgaria: The Painful Aftermath of Collectivised Agriculture" in *Radio Free Europe/RL Research Report*, Vol.2, No.37, 17 September 1993. Restitution in Hungary and the then Czechoslovakia proceeded via a system of vouchers entitling the former owner to bid at auction for privatized land. Restitution of the same piece of land was rejected as unworkable. Timothy N. Ash "East European Agriculture at a Crossroads", *Radio Free Europe/ RL Research Report*, 24th January 1992, pp.33-38, Vojtech Cepel "A Note on the Restitution of Property in Post-Communist Czechoslovakia", *Journal of Communist Studies*, Vol.7, No.3, September 1991, pp.367-75.

³³ The phrase 'nu neaparat' is used which literally translates as 'not at all costs'.

³⁴ Every decision of the local Land Commission was validated by the County Commission. The latter could approve, reject or ask for modifications to be made. Once they were satisfied, then the decisions would be sent to the local cadastral office who would be in charge of drawing up the final legal title deeds.

³⁵ In places where there were insufficient reserves to grant adequate sized plots to former CAP workers then, under Article 19 the Commission were entitled to reduce the size of holdings returned to the former owners, so long as they applied a 'reduction co-efficient' equally over all former land owners. All these actions took place on paper and before land had been marked out.

³⁶ Topor op cit. p.38

claimant had to supply the Land Commission with a number of official documents - birth and death certificates, certificates of inheritance, copies of title deeds or the original application to join the collective farm. All of these had to be the original documents and with copies attached. As Topor points out:

Needless to say, requiring that peasants provide such extensive documentation in only 30 days greatly increased the chances of many requests for land being rejected on the grounds of incomplete documentation.³⁷

There was another way in which Law 18/1991 did not seek to recreate the old pre-Communist system of tenure. Land was only distributed on the basis that a request had been made by someone who was entitled under the Act. Any 'surplus' land became state property and was placed under the control of the relevant council.³⁸ Article 10 provided that claimants could prove their ownership of land using their original applications to join the CAP, their membership registration documents, statistics from the CAP archives, title deeds if they were still held, the agricultural land register and, failing any of these, 'any other proofs, including [witness] testimonies'. A very ambitious target of 90 days was set for the completion of proceedings with the new owners receiving their property deeds shortly afterwards.³⁹ Regarding the other assets of the farm, a separate local Liquidation Commission was established to create an inventory of agricultural equipment held and to pay off existing debts. Any remaining property was distributed amongst the former members. The pre-disposition of the legislators towards large scale farming was demonstrated by the way the CAP's larger assets were distributed. If there was an agricultural association in the village, it was given the first option to buy farm buildings and agricultural machinery, both at reduced rates.⁴⁰ Where there was such an association, the Liquidation Commission organised public auctions and divided all net proceeds amongst the former CAP members.⁴¹

³⁷ Ibid. p. 37

³⁸ Under Article 25 this land could then be sold, leased or rented to those with no land who wished to build a house upon it or use it for other cultural or productive purposes.

³⁹ Article 12.

⁴⁰ L. 36 M.O No.97 April 30th 1991 allowed for the establishment of small agricultural associations based on the pooling of land (however much the members wished) and other resources. They could be set up contractually, witnessed in front of the local notariat or even be the basis of an oral agreement between parties.

⁴¹ In some parts of the country there was little left to auction by the time the commission began its work. Similarly there were allegations in the newspapers at the time that the public auctions were not so free and fair. See Henry for instance op cit. p. 8.

Finally, although it proved to be a difficult provision to enforce, the size of the CAP was taken as being that which existed on January 1st 1990. All previous land exchanges and transfers, regardless of the actual circumstances of the transaction, were deemed to have been concluded legally.⁴² In addition, so long as they had been legally effected, all transfers of CAP land between January 1st and February 20th 1991 were to be honoured.

4. 2. The position of the former owners and their heirs

Under the law, former land owners have the property rights which had been 'taken over in any way' during collectivisation 'reconstituted'.⁴³ In practice, this provision is limited. Under Article 36, landowners whose land passed in to the hands of the state as a result of criminal proceedings were barred from reclaiming it, save where they could show that they had been the victim of political persecution.⁴⁴ This has the potential to exclude many worthy cases. As we saw in Chapter Five, criminal prosecutions were a strategic part of collectivisation, used against those who consistently refused to join the collective farm.⁴⁵ In all, around 80,000 peasants stood trial for crimes related to the campaign. Though there were trials which were undoubtedly politically motivated, others were the outcomes of a combination of factors - social class, local reputation, connections and the seriousness of the offence. Proving political persecution may well present an insurmountable hurdle for many of these 'offenders'.⁴⁶

Secondly, Law 18/1991 returned land brought to the collective farm to the persons who had brought it. It was not clear whether it was wide enough to cover the case of 'donated' land or land that was acquired by way of 'voluntary exchange'. Article 15 does provide for the restitution of land taken in an exchange, but only where the party forced to give up his land never received any land in exchange. In a court case

⁴² Exchanges between CAPs and other state enterprises were common, and yet according to Article 10 could not be overturned. The problem was that as conditions for CAP managers got more desperate in the 1980s, they reduced their burdens by transferring lands to the local IASs. As will be seen in Chapter Eight, farm managers had no say over which part of the farm the state farm took, and unsurprisingly, they often lost their better plots in the process.

⁴³ Article 7. This also includes the right of the heirs in the cases where they are making the claim.

⁴⁴ Unless such a person or their heirs can establish that he or she was a victim of political persecution under the provisions of Decree-Law 118 M.O. 50 March 30th 1990 then any original judgment ordering the confiscation of land remains.

⁴⁵ This is despite the fact that the Parliamentary inquiry into abuses committed during 1949-62 campaign found that the criminal code was frequently used as a means of harassing obstinate peasants. Article 209 of the Criminal Code - Plotting against the Social Order – for instance was used against those who tried to leave the farm or persuaded others to leave. Octavian Roske 'Accente in strategia colectivizarii, Articolul 209, Cod Penal' *Arhivele Totalitarianismului* Anul II Nr. 1-2 277-312. 1994.

brought in relation to the extension of a state farm rather than a CAP, the court held that if the legality of the exchange can be established by reference to contracts and that documents can be found which prove that the exchange took place, then the original exchange will stand, regardless of the fact that like was not exchanged for like.⁴⁷ In relation to land donations, the fact that Article 8 uses the phrase 'taken in any way' implies that only where documentary proof of coercion can be found a donation will be annulled.⁴⁸

Thirdly, Romanian citizens who receive land under the Act, and whose residency is ordinarily outside the country, have one year in which to sell this property. Under Article 47, if they do not sell, the land is transferred to the state free of charge.

Gabriel Topor quotes a Bucharest newspaper which pointed out that 'transferring property free of charge is a euphemism to avoid the word 'confiscation''.⁴⁹

A fourth limit on the scope of restitution concerns the 'form' in which a previous owner will receive his property. Whether or not a former owner receives land or shares depends on whether the land sought is within the perimeter of a collective farm or a state farm. If it is the latter, then the owner receives shares, the amount being calculated according to the amount of land formerly owned and the average yield on that land.⁵⁰

As described in Chapter Seven, CAP authorities considered themselves entitled to deal with the land of the farm in any way they saw fit. For CAP workers originating from other villages, it was common for the farm authorities to allocate them land to build a house with a garden. Article 23 provides that these plots must remain with those persons living in the house, even if they were acquired in an unlawful manner. The former owners are entitled to claim an equivalent sized piece of land elsewhere in the village. In relation to the gardens and personal use plots granted by the CAP to its members, however, Article 24 provides that they shall be returned to their

⁴⁶ It was made more difficult by the fact that there was no general public access to the files of the security forces.

⁴⁷ In this case the original exchange was overturned as no contract or archive record could be located establishing the circumstances of the exchange, despite the fact that the person whose land was taken for the IAS had been cultivating the plot given in exchange for the past thirty years. By way of compensation, the plaintiff was granted shares in the recently privatized IAS equivalent to the amount of land she had "originally" held. See *Dreptul*, Anul 4, Nr. 8, 1993, pp. 66-67.

⁴⁸ Neither in the main post-1990 Romanian property law textbooks, nor in the pages of the main practitioners journal *Dreptul*, was any reference found to this question.

⁴⁹ Topor op cit. p. 39.

⁵⁰ Verdery found that many claimant's land was found in the state farm, particularly those claimants who had broken their ties with the village. 'Between 1991 and 1994, IASs became veritable rubber sacks, their capacities stretched in some cases well beyond those implied by the farm's actual surfaces. The director of a farm might receive a list of

former owners, albeit with the rider that they must compensate the previous user for any investments made.⁵¹

4. 3. Law 18/ 1991 as a means for righting non-Communist wrongs

In Chapters Four and Five, I outlined some of the property abuses committed by the state during the war years and subsequently. Some of these measures deliberately targeted one ethnic group, for example, the 1940 decree which ordered the expropriation of Jewish property with only minimal compensation.⁵² Another example of state interference with property rights was the expulsion of around 80,000 Romanian Germans in 1944-45.⁵³ Under the sweeping provisions of the 1945 land reform, their property was confiscated and re-distributed to the landless and to small-holders. Then there were those, including Jews, who lost land as a result of the Hungarian occupation of northern Transylvania⁵⁴ and, finally, the war-time losses suffered by Gypsies.

Several arguments can be made for including these groups within the scope of the restitution process. First, even though under the terms of the armistice and the Peace treaties, governments were obliged to compensate the victims of anti-Semitic legislation, many of these laws were unenforced. Secondly, those who lost land as a result of the Hungarian occupation from 1941-44 are outside the scope of the Second Hungarian Compensation Law. That Act only covers state actions which took

shareholders whose shares, when totaled, exceeded the areas actually available, as mayors temporarily stuffed into the IAS rubber sack, anyone whose case presented problems. Verdery (1994) op cit. p.1081.

⁵¹ There were alternative avenues for dissatisfied former property owners. After the fall of Ceausescu, there were many court actions in which former owners sought their land and property from the state or the collective farms. Despite the government's desire to limit the scope of restitution, the courts developed a series of principles whereby former owners were able to reclaim their former property. The main grounds upon which the courts allowed restitution claims were cases in which an individual could prove that the original taking was unlawful according to the law in force at that time and secondly, where an individual could show that the taking was contrary to international legal obligations which Romania had entered into, for example the European Convention of Human Rights. Cosmovici shows how the higher courts frequently reversed transfers of property from individuals to the state. In Decision 48 of July 11th 1999, the Supreme Court held that Article 1851 of the Civil Code, annuls legal ownership where it is originally founded or conserved by violence. The court held that this provision formed an exception to Communist legislation, such as Decree 218/1960 and Decree 712/1966, which authorised the post facto transfer of title to socialist bodies. See Cosmovici op cit. p. 24.

⁵² The decree expropriating the rural land of the Jews was introduced on October 5th 1940. See Hilberg op cit. p.735.

⁵³ See Chapter Four pp.54-56.

⁵⁴ Following the Second Vienna Award this area fell under Hungarian jurisdiction, which meant that a series of Hungarian anti-Semitic laws became applicable confiscating Jewish land and property, creating ghettos and organising deportations to the death camps. Article 27 of the Paris Peace Treaty of 1947 obliged the Hungarian state to compensate victims of racial legislation, to return their land or property or if that was impossible to provide fair compensation in its place. As in other countries in the region obliged to restore property to Jews, there was widespread non-compliance. With no effective sanctions for failure and with enforcement lying with municipal authorities, little land and property was actually returned. See Randolph L. Graham. *The Politics of Genocide - The Holocaust in Hungary*. Columbia University Press. New York. 1981.

place within the territory which makes up present day Hungary.⁵⁵ Thirdly, the expulsion of the Germans did not distinguish between those who had assisted the Nazis and those who had not. The 1945 land reform confiscated all land held by Romanian Germans who had been members of the 'German Ethnic Group'. Yet as described in Chapter Four, legislation introduced in 1940 in Romania made it obligatory that all Romanian Germans become members of this group.⁵⁶

Article 16 of Law 18 is the only measure to address abusive state actions that occurred before the final Communist take-over in 1948. It singles out those who lost their land owing to deportation or state-ordered relocation. Thus it clearly extends to Romanian Germans. The fact that the action in question must have taken place after 1944, probably acts to exclude Jewish and Gypsy claims, given that the vast majority of them took place in the early part of the war. By including Romanian Germans by name, the Article makes it clear that it is principally aimed at those expelled in 1944-45.⁵⁷ The redress offered is qualified though. Those claiming under Article 16 do not, as a rule, receive their land back. If there are sufficient reserves of state land in any particular area, then they may receive up to ten hectares of land. If there are no such reserves, then former owners receive shares in the state farms equal in value to the amount of land they previously owned. Unlike in other cases, Article 16 gives the Land Commission no power to create land reserves.⁵⁸

4. 4. Former juridical owners under the law

Law 18/1991 makes only very limited provision for the restitution of property to former juridical owners. Under Article 21 the parish authorities (the lowest tier of the rural local authorities) receive five hectares of agricultural land taken from them during collectivisation. Secondly, individual churches can reclaim five hectares of their previous holdings, while monasteries may receive up to 10 hectares of their former land. Thirdly, communally owned land will be returned to local use, so long as it is designated for the public benefit. Article 32 returns previously communal land - grassland or arable land - to the control of the local *comuna*, town or municipality.

⁵⁵ For a consideration of these issues in depth see Institute of Jewish Affairs. *Jewish Restitution and Compensation Claims in Eastern Europe and the Former USSR*. Research Report No.2. London. Institute of Jewish Affairs. 1993.

⁵⁶ See n.52.

⁵⁷ It may be possible to include those who later lost land as a result of internal forced resettlement, - the relocation of 'unproductive peoples' from Bucharest to the Black Sea/Danube Canal or to the Soviet Union in February 1952 for example. Quoted in Hilberg op cit. p. 736.

⁵⁸ See Section 4.5. below.

Article 40 obliges state farms to return to the local authorities communal land if, at present, it is used as pasture, hay fields or arable land.⁵⁹

Those juridical owners who owned forest land are excluded. Article 41 specifies that only physical persons whose forest, meadow or woodland was taken by the state 'on the basis of a special law' are entitled to the return of one hectare of this land.

Those who receive land under this provision are obliged to follow the conditions set out in the Silvic Code.⁶⁰ Yet, as with other pre-Communist systems, ownership of the forests was mixed between public and private properties and between individuals and groups. Natural persons only accounted for ownership of 22.7% of the total forest land, the state owned 28.8% and juridical bodies, such as hospitals, banks, communal authorities, churches, cultural institutions and industrial groups, accounted for 48.5% of the forests.⁶¹

The creation of over 500,000 one hectare parcels since 1991 has created enormous difficulties for those attempting to create a sound basis for the management of the forests, many of the new owners ignoring felling restrictions and failing to replant the trees that had been cut down. Many of the plots created have been made in small isolated forests or on the periphery of larger forests, and as environmental groups have pointed out intensive felling threatens to undermine the viability of both types of forest.⁶²

4. 5. The creation of new owners

As with other Romanian land reforms in this century, Law 18/1991 re-distributed land to the landless and those owning small parcels of land. Several groups are entitled to submit claims for land, including those who distinguished themselves in the events of December 1989.⁶³ Although the criteria for eligibility for land are set out in the Act, for certain of these groups the actual amounts they received was at the discretion of the local Land Commissions.

⁵⁹ However there are many exceptions to this provision, for example, if the lands are used for growing vegetables, fruit, if they are used by agricultural research stations, have fishponds or lakes on them, then the local authorities will be allotted other lands that should be used as common pasture lands, for the production of hay and for other fodder crops.

⁶⁰ This is the main legislative code setting out the conditions for owning, using and conserving forest land.

⁶¹ Information from Association of Private Forest Owners. Cluj-Napoca,

⁶² Interview conducted with Mircea Oanta, Silvic Engineer and founder member of the Association of Owners of Private Forests in Romania.

⁶³ That is, after they proved themselves to be a 'hero of the revolution' in front of a specially commissioned panel

The first group entitled to claim CAP lands is composed of those who had worked during the previous three years for the collective farm or for an association connected with it. If they did not bring any land with them or if they owned less than 5 hectares of land, then they can claim up to ten hectares of CAP land. The Land Commissions determined the exact amount by taking into account the extent of CAP land available, the numbers of claimants and the amount of land already distributed to former owners.

Anticipating that, in some circumstances, once the above claimants have been taken into account there might be little land left to distribute, Article 19 gave the Land Commissioners power to reduce the size of the land of the former owners. By shaving off 50 ari, for instance, the Land Commission was then in a position to distribute adequately sized holdings. If the level of the reduction is disputed, then a claimant could appeal to the county Land Commission and thereafter to the local state *Tribunal*.

Article 18 provides that those who worked for the local authorities, but who do not own any land, may receive up to five hectares each. Ownership rights do not pass to them, but remain with the respective commune, town or municipality. To encourage those contemplating private farming, Article 20 allows the Land Commissions, in situations where there exists an 'excess' of land, to distribute up to 10 hectares to those who make an application. Those who received land under this provision must stay in the area, they must work the land and are obliged to renounce any other claims that they might have as to other lands. In the mountainous areas and those places which are 'unfavourable by way of natural factors - climate, altitude, slopes, isolation', Article 39 permits the county Prefect, following recommendations by the local mayor, to distribute up to ten hectares to young families, mainly for the raising of animals.

5. Characteristics of private property under Law 18/1991

Law 18/1991 places a series of restrictions on land use. Article 31 provides that, for those to whom land is 'constituted', the former CAP workers etc., sales, fragmentation, mortgages or alienation of any kind are prohibited within the first 10 years. Should someone try to alienate his land before the end of this period, the

transaction will be annulled. Not respecting the conditions of land use provided in the Act, particularly those relating to continued agricultural use, exposes a land owner to the possible loss of his land. Articles 53-68 set out the regime for soil conservation and protection. If owners ignore their obligations, they are sent a letter from the local authority detailing the ways in which they should make amends. If they ignore this they face progressively increasing level of fines and, ultimately, if the land has not been used for two years, they will lose the right to use the land. If land is confiscated in this way no compensation will be given, whereas for any buildings on the land, compensation will be given equal to its 'real value'.

A second restriction on the rights of owners concerns the bureaucratic procedures which are essential for all land transactions. Owners cannot sell their land to anyone. Article 42 prohibits the ownership of land by any non-Romanian citizen. Second, if a private owner is seeking to exchange land with a juridical person, such as an agricultural association or a private company, he must first secure the approval of the Ministry of Agriculture or the Ministry of the Environment. Third, land for sale has to be first offered to the seller's immediate family, then to his neighbours and, finally, to the wider village by way of a notice at the mayor's office. If there are still no buyers then the National Agency for Rural Development is empowered to purchase the land, using it for public purposes such as creating larger holdings through consolidation. The major problem with this last requirement, though, was that the Agency was never established.⁶⁴

6. Some effects of Law 18/1991

By the end of 1993 there were 3.4 million individual farms registered on 5.4 million hectares of land (i.e. average landholding of 1.6 hectares) and 22,375 private agricultural societies and associations on 3.8 million hectares of land. In total, about 93 % of agricultural land was 'owned' by private entities by the end of 1993.⁶⁵

Law 18 created more absentee landowners than any other land reform in Romania's history. According to the Ministry of Agriculture, 43% of those who had property

⁶⁴ Raport (1997) op cit. p. 99.

⁶⁵ OECD. *Agricultural Policies, Markets and Trade. Monitoring and Outlook 1994: In the central and eastern European countries (CEECs), the New Independent States, Mongolia and China*. OECD. 1994.

restored to them now live in towns, 39% live in villages but work in towns leaving only 18% who actually own and work the land themselves.⁶⁶ Secondly, many hundreds of thousands of court cases were generated by disputes related to the law. One of its greatest failures was the fact that no provision was made for the local Land Commission to adjudicate over inheritance. In the vast majority of situations, there were no wills to rely upon, and amicable resolution was hampered as families were scattered throughout the country. If siblings could not agree over the exact division of land or how much rent each would receive, then the only forum to appeal to was the state *Tribunal*. According to the OECD, around one million court cases were generated by disputes related to the implementation of Law 18.⁶⁷

Given that there were six million new owners, it was perhaps natural to expect that there would be a vast amount of buying and selling. However the development of a state regulated land market was severely impaired by both legal restrictions and bureaucratic capacities. Many owners did not receive their final legal documents until years after the original settlement, having to make do in the meantime with a temporary *adeverinta* issued by the local mayor. One year after Law 18 was introduced, the OECD reported that only '580,000 title deeds had been issued and another 149,000 were being prepared', but by the end of 1997, there were still parts of the country where owners were waiting for their papers.⁶⁸ As Turnock points out, the 'certificates are important as collateral in raising loans to cover outlays on seed, fertiliser and machinery as well as for the creation of a land market'.⁶⁹ Topor reports that, initially, the problem was the capacity of the state cadastral departments to absorb the volume of demand for land documents. This remained the case, although later on delays in issuing title deeds were linked with paper shortages and the fact that there were ongoing disputes with some plots.⁷⁰

As mentioned earlier, there were legal restrictions which inhibited the development of a state controlled land market. As the OECD has pointed out, the failure to establish the National Agency for Rural Development rendered all sales strictly illegal.

⁶⁶ *Adevarul* 23rd April 1993. According to information from the UK agricultural consultancy firm MASDAR, 60% of landowners no longer live in the rural areas. *Information Pack for Farming in Romania*. Wokingham. December 1997.

⁶⁷ OECD. *Romania: An Economic Assessment*. Paris. OECD. Centre for Co-operation with the European Economies in Transition. 1998. p.159.

⁶⁸ The OECD estimate that by 1997 there were still 40% of owners who had not received their final papers. OECD 1998 op cit. p.159.

⁶⁹ Turnock (1993) op cit. p.3.

Similarly, there were restrictions on the powers of owners to lease their land and, until reforms were introduced in 1997, there was no power for a lessee to sub-let the land.⁷¹

However, these legal problems did not prevent the emergence of an informal land market. For those who wished to sell or rent out their land, transactions were arranged informally by the local mayor, the *notar* or some other intermediary. However, these land deals undoubtedly complicate the work of the cadastral office. Some transactions relating to land use remain unrecorded and, secondly, such a parallel system undermines the authority of the legal documents.

One of the most common actions for absentee owners was to lease their land to a farming association. However, associations have encountered a difficult economic environment. Originally, the responsibility for organising the rationalisation of holdings was with the National Agency for Rural Development. This body was given powers to acquire land and, in conjunction with local agricultural authorities, to draw up environmental management plans. They could organise the construction of new roads, arrange for the consolidation of holdings into fewer parcels and even introduce some planning into production by zoning areas according to climate, soil type etc. The failure to set up this Agency has placed the burden of agrarian restructuring onto local authorities and individuals. Land exchanges which benefit the majority of the villagers by creating large surface areas which can be worked by the agricultural associations can only be created if all the different land owners consent. Local authorities are not empowered to impose such a settlement.⁷²

Evidence from the case studies and from studies such as the one by David Turnock, show how the collapse of the old systems of land management have created significant problems. Turnock highlights the fact that Ceausescu's fall provided many peasants with the opportunity to reject outside interference, and 'retreat' into the household:

⁷⁰ Topor op cit. p.38.

⁷¹ OECD (1998) op cit. p.158.

⁷² A member of the County Land Commission in Zalau, Salaj county recounted how the Prefect had instructed the *judet* land commission to draw up parcels of land in coherent units, amalgamating the old strips into larger fields. Although the commission followed these instructions and created, at least on paper, a village map made up of larger fields, the proposal was unacceptable to the majority of claimants and it was abandoned. Interview with Maria Zah, Secretary, County Land Commission in Zalau, April 1997.

For the present however, the system of small family farms is being reasserted. The institutions of co-operation developed under communism have been widely rejected in the mountain areas where the strength of tradition was reinforced with disenchantment with the CAP as part of a 'colonial' system imposed by the state.⁷³

State agrarian policy since 1991 has been characterised by continuity as much as change. As with the Communists, the main aim is to become self sufficient in foodstuffs, whilst producing enough for export. The Ministry of Agriculture stressed that Romania could become self-sufficient in almost all its food requirements and a World Trade report concurred, claiming that the quality of the soil and the amount of agricultural land available meant that yields sufficient to feed twice the present population could be produced.⁷⁴

However, Law 18/1991 caused a mass transfer of agricultural land into the hands of individuals, many of whom have no farming experience. The result has been the creation of hundreds of thousands of family farms, and many thousands of small agricultural associations. These farms not only grow different crops, they produce different yields, and they do not always sell their goods in the open market.

Despite this massive shift in the structure of ownership, there has been very little corresponding shift in the infrastructure which services and supports the agricultural sector. The vast majority of inputs, that is, the seed, fertiliser suppliers and the producers of machinery, remain in state hands. Similarly, the main buyers of agricultural produce, apart from the local markets, remain large state enterprises such as ROMCEREAL. For the small farmer the costs of hiring agricultural machinery has often been prohibitive, as have the costs of buying the better quality seeds.⁷⁵

Finding buyers for produce has been a consistent problem for both the associations and for individual farmers. In a similar fashion to the development of the land market, many features of the domestic food market have emerged despite, rather than because of, the efforts of the state. In its desire to cushion the general

⁷³ Turnock (1993) op cit. p. 31.

⁷⁴ GATT op cit. p. 100.

population from the cost of economic restructuring, the FSN continued to subsidise production and limiting retail prices. By 1995 'over one half of the average household's food consumption including dairy products, pork, poultry and bread, were subject to formal price ceilings or 'negotiations''.⁷⁶ As many of the economic assessments of Romania point out, such an approach maintains inefficiencies and prevents the emergence of new enterprises.⁷⁷

The cereal sector provides a good illustration of this policy in practice. In order to keep the costs of bread down, restrictions were placed upon the amount of profits the main state cereal buyer, ROMCEREAL, could make. At the same time though, its own operating costs rose with inflation, forcing ROMCEREAL to look for other ways in which it could offset some of its losses. As the OECD report points out, this has had negative consequences:

The monopolistic position of ROMCEREAL and the flour mills, and their low profit margins, have made the development of private sector competition unprofitable and nearby impossible. Peasant markets cannot compete because they are either too small or unsuited to products requiring processing. Unable to export and with the size of private markets limited, farmers who have not switched to other crops instead store grain in expectation of increases in state prices: construction of private storage has been booming, some observers suggest that private agents now hold almost all grain crops, especially corn.⁷⁸

Sometimes peasants contracting with the state have been unable to recoup even their production costs, leading to a further retreat into subsistence production. The creation of so many household farms inevitably led to a decline in the industrial crops harvest. Since 1990, private production of soya has all but disappeared, the land given over to sugar beet production has halved while the area given over to rice cultivation has fallen from 400,000 hectares to less than 200,000 in 1995.⁷⁹ By

⁷⁵ The Ministry of Agriculture estimate that on those areas where wheat and corn are grown (around 50% of the total surface) 'over half of this area is seeded with unsuitable seeds'. *Report op cit.* p.41.

⁷⁶ OECD (1998) *op cit.* p. 160.

⁷⁷ See for example Grafton and Topor *op cit.*

⁷⁸ This was banned for a series of products in an effort to stimulate the domestic market. OECD (1993) *op cit.* p.106.

contrast, there has been an increase in production of low technology, peasant staples such as sunflowers and maize.

Private fruit and vegetable production continues to dominate the national markets, a fact that the authors of the OECD's 1993 report argue 'is attributable to the fact that these items can be sold on local peasant markets and are not subject to price controls'.⁸⁰ As these authors point out, production figures may not be accurate because the bulk of peasant harvests are simply unrecorded. Consumption, they argue has become oriented towards the rural areas rather than the urban zones 'exacerbating the differential in favour of the peasants who have always eaten better, even in the worst years'.⁸¹

Alan Mayhew contends that the agricultural sector acted as an invaluable buffer for the economic restructuring taking place in other parts of the economy. 'It was clearly not in the interest of the reformers to raise productivity and diminish employment in agriculture just as manufacturing was releasing labour' he writes.⁸² This appears to be borne out by the fact that, in Romania, agricultural employment has risen from 28% of the employed population in 1990 to 39% of the total in 1994.⁸³ As the OECD point out, this growth has been almost entirely in those family farms created by the 1991 Act.

However, the resurgence of small scale peasant farming should not be romanticised. Peasant farming has been extremely difficult and, in many places, developments in agriculture have exacerbated rural inequalities. Turnock describes how privatisation often enriched those who were already wealthy:

The former state tractor stations had been re-profiled to provide services to individual farmers but some second hand tractors and harvesters have been sold off to young men who have returned from the towns with small stocks of capital and now offer a choice of service for the local farmers. The transition is certainly flawed because all too often it is the members of the former elite who

⁷⁹ Statistics taken *Raport* 1997 op cit. pp. 44-75

⁸⁰ *Ibid.* p. 110.

⁸¹ *Ibid.* p. 110.

⁸² Alan Mayhew. *Recreating Europe: The European Union's Policy towards Central and Eastern Europe*. Cambridge. Cambridge University Press. 1998. p. 241.

⁸³ *Ibid.* p. 241

succeed in setting up small businesses since they have money (or access to money through erstwhile contacts) and can exert influence at auctions.⁸⁴

The costs of hiring machinery is too great for many of the smaller farmers, and where it has not been possible to rent out their land to an association, the land has been left unworked and crops have rotted in the fields.⁸⁵ The smaller associations, competing for limited numbers of private sector purchasers, have found that their ability to make profits has been restricted. Apart from the retail price ceilings, the state limited the export of foods to those sectors where it decreed that there were no domestic shortages.

As in other parts of the region, the collapse of Communism brought with it a deluge of western goods, many of which are sold at prices local producers find difficult to compete with. Like other transition countries, Romania was advised by the International Monetary fund, by the European Bank for Reconstruction and Development and by a host of economic experts to open its borders and adopt a trade-led model of development.⁸⁶ Freeman describes how the countries of east and central Europe:

..made great strides over the past two years to liberalise trade. When they did so they were flooded with exports from OECD countries. In 1991 exports to the five increased by something of the order of 70%.⁸⁷

Agricultural trade amongst traditional partners in COMECON fell by about 50% in 1991.⁸⁸ And yet, even for the reduced number of farmers able to export their goods, there was no corresponding opening of the markets in western Europe. Instead, for the first five years of the 1990s, there has been a great trade deficit in agricultural goods between the EU and Romania and, as Mayhew describes:

⁸⁴ Turnock (1993) op cit. p. 20.

⁸⁵ 'It is reported that of the estimated 65,400 threshing machines registered in the summer of 1992, over half were out of action due to breakdowns. Where [such] machinery is operational it is frequently immobile due to the severe diesel shortages that afflict the country'. GATT op cit. p.104.

⁸⁶ For a comprehensive critique of international efforts at restructuring eastern Europe see Peter Gowan. 'The pillage of Eastern Europe' in *New Left Review* 213 September/October 1995. 3-60

⁸⁷ Freeman op cit. p. 118.

⁸⁸ Ibid. p. 112

The European Union with its subsidised exports, managed to take a part of the high value added sector of food consumption in the associated countries away from domestic producers.⁸⁹

7. Some Conclusions

The fundamental objectives of Law 18/1991 appeared divided between the need to compensate for wrongs committed under Communism and the need to establish the property basis for a modern rural economy. It is tempting to conclude that the difficulties many private farmers have experienced, since 1991, has been in large measure the result of this indecision. Collectivisation's abuses were committed almost forty years ago, ensuring that compensation is too late for the majority of the original victims. Yet, instead of focusing on the rural population as it is now, Law 18 allocated village land to sons and daughters of former owners who had long since left to live in the towns. Many of the difficulties in providing effective support for the new private sector stem from the huge variations amongst the new owners in terms of farming experience and technical skill.

One explanation for this outcome is simply that the government had little option when it came to the land question. As will be shown in the case studies in Mirsid and Plaiesti, many peasants did not wait for the law makers in Bucharest to sanction their reclamation of land, neither was the eventual distribution of CAP assets in strict accordance with the law. The abundance of independent family farms is testament to the mismanagement of Communist collective farming and the contempt it inspired amongst its workforce.⁹⁰

The failure of post-Ceausescu agrarian policies, though, has been their inability to respond to the new map of tenure and create an infrastructure which could support a viable, mixed peasant economy. As described in Chapter Three, the 1918-21 land reforms turned the local parish authorities into an important economic actor by granting them significant amounts of pasture and meadow lands. This land was then

⁸⁹ In 1989, Romania had an agricultural trade surplus of \$36 million with the EU. By 1992 it was a deficit of \$262 million, 1993 a deficit of \$245 million, 1994 a deficit of \$76 million and 1995 a deficit of \$162 million. Quoted in Mayhew op cit. p. 261.

⁹⁰ An anecdote from Harghita county in north central Romania illustrates this reluctance. A rural development charity organised a village meeting to suggest to private farmers how they might pool some of their resources. A booklet was handed out in which an unfortunate author had abbreviated the word for chapter - Capitul - into CAP. Opening

used to allow poorer individuals, without pasture lands, to raise livestock. A similar story could be told of the way in which the Church used to work its land before the Communist era, renting it out to parishioners and poor villagers on a sharecropping basis. In the 1991 reform, both institutions were granted only a fraction of their former land, making their contribution to future village development peripheral. Indeed, now that the country's borders are open, Romania's farmers are left exposed to the force of the global market.

The next two chapters examine the implementation of Law 18/1991 at the level of the village. Both case studies offer illustrations of the reception and effects of the law. In particular, both chapters concentrate upon the way in which local conceptions of reform combined with those contained in the legislation.

the booklet, on seeing the abbreviation CAP (which happened to be the same as the acronym of the former co-operatives), many of those attending simply got up and left.

Chapter Eight: The Land Question in Mirsid

1. Introduction

Mirsid¹ is a small village in the north-west of Romania, in Salaj county, between the two cities of Zalau and Jibou. It winds for about two kilometres along the base of a narrow valley with hills either side covered in pine forests. Most houses front either on to the main road or on to the railway line. Although it has been a settlement for hundreds of years, the village's public buildings appear modern. In the centre is the mayor's office, next to the now closed state store and the police station. Opposite is the now disused headquarters of the old collective farm (CAP), its windows now covered from the inside with copies of the Party newspaper *Scinteia*. Other public buildings include the health clinic and, set back half way up a hill, the Orthodox Church.

The surrounding landscape has had a great influence on the local economy. Hilly country and low soil fertility made the village dependent on non-arable production. Before the Second World War, timber was exported to Hungary and, throughout the century, livestock rearing has been an important generator of income. In the last years of the CAP, the rearing of livestock was the most successful operation.² At present, quarrying for minerals in the surrounding hills continues to provide a limited amount of non-farming employment.

2. Pre-Communist Mirsid

On the eve of the collapse of the Austro-Hungarian empire in 1918, Mirsid was typical of many villages in Transylvania. The majority of its population were Romanian peasants owning small plots of land, usually no more than two-three jugars in size (around one- one and one half hectares). Holdings were divided equally amongst sons and daughters so that each received equal portions of the same quality land. Many households rented land from the two major local landowners - the Greco-Catholic Church, which owned around 30 jugars of mainly

¹ Pronounced *Meersheed*

² This was the view of one of the former Presidents of the collective farm. He said that in the 1980s the farm was renowned for its meat production, even having its own contracts with Italian buyers. Interview with Gheorghe Jerca, President of the collective farm in Mirsid, 1970-76, August, Mirsid, 1997.

arable land (around 17 hectares)³, and an aristocratic family, the Weschelenyis, who owned in excess of 15,000 jugars (around 8700 hectares)⁴. According to older villagers, the Weschelenyi family had owned a great estate in the region since the end of the 18th century. Yet, unlike most other aristocratic landowners in Transylvania, the Weschelenyis had a reputation as an enlightened and socially progressive family. Their estate extended over a number of villages, encompassing forests, large tracts of arable land, orchards, vineyards, lakes and pasture land. The last Baron before the Communist take-over, Stefan Weschelenyi, appears to have been committed to the development of a modern, diverse and productive agricultural estate. There were blacksmiths and workshops on his land, he employed full time foresters and sold to merchants in parts of Hungary. In the inter-war period he was the first landowner to employ modern agricultural machinery on his land.⁵

Not surprisingly, the estate attracted peasants from other parts of the region looking for work. Aside from domestic staff (Stefan was married with two children and his mother also lived on the estate), there were full-time opportunities for working and managing the land. Each employee was housed on the estate and was granted his or her own small garden plot as well as supplies of wood in the winter. As some of the older villagers recalled, the Weschelenyi family ran their estate in a fairly enlightened manner compared to other *boiars*⁶. They organised dances in the village cultural house, tolerated hunting in their forests and, at times, would lend out some of their modern machinery. Even so, the diminutive size of arable holdings owned by most peasants combined with the hilliness of the terrain, ensured that younger peasants left the village every year in search of work.

³ Information from Ioan Nemes, oldest elected member of the Land Commission and Ioan Roman, Head Chairman and also elected as a member of the Land Commission.

⁴ It was difficult to piece together exactly how much land the Weschelenyi family owned before the great land reforms of 1919-21. In 1921, in an attempt to challenge some of the decisions of the Land Reform Commission, four members of the Weschelenyi family brought an action in the local Tribunal in Zalau. There, it was documented that the 7225 jugars of woodland was owned by the family, that Stefan, the son of the Baron owned 2954 jugars and Agnes, the wife of the Baron owned 2739 jugars of land. It was not revealed in that hearing exactly how much land was owned by the Baron, nor by his daughter, although an earlier document in the state archives records that in 1920 the Baron owned 2348 jugars of land. This makes an approximate total estate of the Weschelenyis around 15000 jugars or 8700 hectares. *Comisiune Judetene pentru Expropriare si Impropietare a Reformei Agrara din Judetul Salaj-Zalau*. Decision 1116/1922. Files of the Salaj County Tribunal, 1922. For the Baron's estate, the information was declared in the Official Testament of the Engineer, Ioan Maxim. Both sources of information are located in the State Archives Office, Zalau.

⁵ The inventory of his estate drawn up in 1944 records how, in the 1930s, he organised the planting of 60 jugars (around 30 hectares) of apple orchards. Process Verbal (Official testament) for the Agrarian Reform in Comuna Mirsid, File No. 1075/1945, Agricultural Section. State Archives. Zalau.

⁶ The image of the *boiar* in Communist histories as someone living in idle luxury indifferent to the plight of the landless, poor peasant did not seem to apply to Stefan Weschelenyi. Several of the older villagers who had worked either for him, or who had rented land from his estate spoke well of him and his family. Interviews with Anica Olaru and Ioan Nemes.

3. The Land Reform of 1919 in Mirsid

In all, the land reforms introduced after the Great War and following the incorporation of Transylvania into Romania led to the expropriation of 960 jugars (556 hectares) of land from the estate of Stefan Weschelenyi.⁷ Of that 108 jugars (62 hectares) was arable land, 320 jugars (185 hectares) pasture and 490 jugars (284 hectares) was woodland. The rest was made up of hay fields and, at that time, uncultivated land.⁸ The intended beneficiaries of the reform were mainly veterans from the Great War, together with those who owned less than five jugars of land. The objective was to increase the size of their holdings to at least five jugars.⁹

In Mirsid, as in many other villages, the process of redistribution failed to achieve the legislators' aims. In 1919, 135 villagers had received an average of one jugar each. In addition, the compensation that each peasant had to pay to the Baron, although spread over 20 years, was far higher than most of the beneficiaries could afford.¹⁰ Despite this, in one of a number of the court hearings that resulted from the implementation of the reform, the Tribunal confirmed the 'rent' of 100 lei per jugar, 40 lei for hayfields and 100 lei for grazing areas.¹¹

One immediate consequence of the land reform was that many of the poorer recipients sold their plots. This was recalled both by some of the older villagers and suggested by the records of the numbers of landless peasant in the village. In the appeal made to the region's Prefect by certain 'representatives of the village' in February 1920, it was reported that there were 26 persons designated as landless. By June the following year, this number had increased to 68.¹² It is not possible to identify how many may have received land and sold it and how many never received

⁷ The land owned by the other members of the family was scattered throughout the region. Stefan the younger was ordered to transfer 1805 jugars of his land to the 'use of the state' and share his remaining lands between himself, his sister and his mother. His mother is recorded in the court case as 'losing' 2739 of her land to the state. The 7225 jugars of forest land remained with the family until the existing contracts to sell wood had been fulfilled. After that point it was expropriated. *Comisiune Judetene* op cit. n. 5.

⁸ Official Testament of Agricultural Engineer Ioan Maxim, 1922, Agricultural Section, State Archives, Zalau

⁹ Mitrany op cit. pp. 137-138.

¹⁰ In a petition drawn up by a group of representatives of the village and presented to the mayor in February 1920, it was pointed out that the quality of the land received was low and, that people in the village were poor and unable to pay the amount asked. Official Testament presented to the mayor and addressed to the Prefect of the region by certain representatives of the village. February 23, 1920. Agricultural Section, State Archives, Zalau.

¹¹ Official Testament of a hearing of the Tribunal in Zalau for considering question of forced renting. Agricultural Section, State Archives, Zalau. Calling the money paid by the peasant to the former owner rent rather than compensation is due to the fact that local rent levels were used in calculating the value of the land, and therefore the amount that the peasant would be expected to pay over the following twenty years. For details on the background to the question of compensation see Mitrany op cit. pp. 148-158.

land at all. All sales of land were necessarily 'informal' as the 1919 law prohibited the sale of any holdings received under the law until 1930.¹³

However, the post-war reforms did not simply increase the size of the middle-sized holdings. Weschelenyi was forced to rent out a substantial portion of his hay fields and woodland to the village authorities. In Transylvania as a whole, just under a third of the total expropriated area was dedicated to communal grazing.¹⁴ This ensured that almost everyone in the village, regardless of the amount of land they owned, was able to raise livestock. Garoflid, the Minister of Agriculture in 1920, conceded in Parliament that it would be better if special provision were made for communal grazing areas to be created rather than expecting individual small-holders to devote parts of their land to fodder crops.¹⁵ Given the small size of the arable holdings created in 1919-20 in Mirsid, this would appear to have been validated. Older villagers recall how almost every household owned cattle in the 1930s. Communal grazing areas allowed some peasants to produce for market. Ioan Roman remembers how villagers shared the few carts in the village and travelled to Zalau to sell milk, cheese and meat.¹⁶ The non-arable income was vital given the onset of the economic depression of the late 1920s and early 1930s. The obligation to pay compensation to Baron Weschelenyi had increased the levels of indebtedness for many of the poorer villagers.

A second consequence of the land reform was to make the village authorities - the office of mayor, vice mayor and the local parish council - an alternative source of economic power. Up until this point, the fact that they did not own land meant they had a limited impact on the economic development of the village. After receiving land, though, they defended their gains tenaciously, fighting several actions concerning pasture land in the local courts against both Weschelenyi and the neighbouring villages of Poptelec and Firminis.¹⁷

¹² Official Testament of the Agricultural Advisor C. Garboveanu. June 9th, 1920. Agricultural Section, State Archives, Zalau.

¹³ Mitrany op cit. p. 157.

¹⁴ Mitrany records how, in Transylvania over 1, 354, 820 hectares of agricultural land was expropriated, compared with 2, 562, 013 hectares in the Old Kingdom of Moldavia and Wallachia, 53, 040 hectares in Bucovina and a total of 1,098,045 hectares in Bessarabia. Figures as of September 1st 1927 Ibid. p. 221.

¹⁵ *Monitorul Oficial* No. 138 September 27 1920. Ibid. p. 142.

¹⁶ Interview with Ioan Roman, Mirsid, July 1997.

¹⁷ The actual content of the inter-village disputes was difficult to reconstruct. What little information was found indicated that they were concerned with the precise boundaries of the villages and a question concerning the designation of high quality pasture land to Firminis and Poptelec rather than to Mirsid as the local authorities claimed should have in fact happened. The Engineer G. Garboveanu, reports with a note of weariness that by 1921 'it had still not been possible to settle the dispute between the villages'. see. n. 13.

4. Knowing Land Boundaries

The primary record of official or legal knowledge concerning landholding is the *Cartea Funciar*.¹⁸ This register, which was introduced in the 1860s while Transylvania was part of the Austro-Hungarian empire, documents in detail the larger boundaries of village fields, including *intravilan* land, (land within the core of the village) as well as the position of arable fields, pasture lands, woodlands etc. of the *extravilan* land. Each field has a topographical number and, sometimes, its own name. A map was drawn detailing the division of the field into smaller strips and the name of the owners in each of these strips. The *Cartea Funciar* also records the frontiers of the village. Any change in ownership had to be recorded with the local notary. As there was no notary in Mirsid, prospective landowners had to go to Zalau. Furthermore, the registration procedure was not inexpensive. Whilst many regarded the *Cartea Funciar* as the definitive account of land tenure in Mirsid, others admitted that it did not record all changes in ownership, particularly if the size of land involved was small.¹⁹

The second source of knowledge concerning boundaries can be termed *familial knowledge*. Not only did this record past and present owners, it encompassed certain expectations as to future use and ownership. Apart from when it was sold, the main occasions for transferring land within and between families were marriage and death. Land was usually divided equally between sons and daughters, ensuring that each received equal amounts of the same quality of land. The youngest child was expected to stay home to look after his parents in old age. In recognition of this, he was usually given the parental home and the adjacent land on their death.²⁰

The third source of knowledge about land can be termed *communal knowledge*, broken down into two elements. The first was the individual's recognition of his neighbours' land, both adjacent and in the larger field where the individual's strip was found. This might include other details such as the quality of the soil or the existence of significant boundary markers. A second element is the practice of naming areas and fields, according to physical distinctions, persons, incidents or events that had happened in that area in the past. Although this latter part does not form part of the

¹⁸ Romanian includes the definite article in its object word. *Cartea Funciar* thus translates as The Register of Estates.

¹⁹ This was conceded by Roman, Nemes and Olaru as highly possible.

legal record of ownership, it is nevertheless important inasmuch as it links the land with local history. Even though the CAP abolished many of the old boundary markers, the old names for fields and areas remained in use.

Each source can be tapped in the reconstruction of the pre-Communist system, but it would be a mistake to imagine that this would necessarily produce a map that everyone agreed upon. The local 'securist' laughed at the suggestion that property relations before the collective farm were generally harmonious.²¹ The opposite was true, he claimed, disputes over boundaries of people's lands were frequent, especially around ploughing and seeding time, when strips 'shrank' or 'expanded'. According to this villager, land disputes were, on occasions, violent.

5. The destruction of the Weschelenyi estate and the 1945 land reform

One of the consequences of the second Vienna Award in 1940,²² was that northern Transylvania was transferred to Hungary. During the war both German and Hungarian troops were billeted at Mirsid, as were a number of Hungarian administrators sent from Budapest. They remained in the village until 1944. The war transformed Mirsid. Sometime in 1943-44, the Baron and his family left for Hungary.²³ Under Article 3 of the 1945 land reform, anyone who had fled to an 'unfriendly country' during the course of the war was liable to the confiscation of his or her estate unless they returned to Romania within one year of the 1944 Armistice agreement.²⁴ Once the Weschelenyis had left, their house was occupied by local Gypsies. Stefan Weschelenyi returned in 1946 to act as a character witness in the trial of a villager accused of collaborating with the occupying Hungarian forces. He also tried and failed to secure the return of his estate.²⁵

²⁰ Interviews with Olaru, Nemes and Florica Abraham, Mirsid, August, 1997.

²¹ 'Securist' was the generic word used for any one who had worked for the Romanian Security Services under Ceausescu. Although the *Securitate* had been reformed and renamed the Romanian Information Service, in Mirsid at least, Gheorghe Olaru was still known as the local 'securist'. Interview with Gheorghe and Anica Olaru, Mirsid, July 1997.

²² See Chapter Four p.52 for more details.

²³ It was not possible to find out exactly what were the circumstance in which the Weschelenyi family left. Nemes said that the Baron was involved with the organisation of anti-Hungarian resistance in the region. Others said that the family just fled one night in 1943. It may have been that with the decline of Axis fortunes and the movement of the Red Army, the Baron feared for his and his family's safety, leaving for what he considered, to be the relative safety of Hungary.

²⁴ For full details on the 1945 land reform see Chapter Four pp.54-61.

²⁵ Interview with Ioan Nemes. Mirsid. August 1997.

Despite considerable damage and theft both during the war and after, the estate of the Weschelenyis was valued at 249,232,500 lei. The auditors reported that all his animals were stolen, along with all of his considerable supplies of tools and machinery. The main buildings of the estate were all destroyed and their building materials stripped.²⁶

Weschelenyi's estate was distributed amongst the poorer peasants and the war veterans. The survey of the village that can be obtained from examining this reform is important because, in theory at least, the boundaries established by the 1945 reform are the base point for Law 18/1991. With one exception, any earlier land transactions are outside the scope of the law.²⁷ The documents from the reform also demonstrate how little the official census recorded. According to their record, since 1910, Mirsid's population had never risen above 741.²⁸ Between 1930 and 1948, around 80% of the population were registered as Romanian, the rest made up of Hungarians, Gypsies, Jews and Slovaks. The 1948 census, for instance, lists 609 Romanians, 96 Hungarians and four persons giving Yiddish as their mother tongue. The 1930 census, using the same classification found 530 Romanians, 108 Hungarians, one Serb, eight Gypsies and nine Yiddish speaking persons in the village. In other words, according to the record, in the space of 18 years all the Gypsies had left. The records from the land reform, though, list 21 Gypsies beneficiaries, each the head of a household. All were male and, between them, they had 55 children under 18. If it is assumed that each household had only one woman over 18 living there, that would still mean the Gypsy population of Mirsid, in 1946, amounted to 95 persons.

From one perspective, the list of beneficiaries under the '45 reform shows that the social problems connected with agriculture and the ownership of land had increased since the 1919 reform. It also shows how landlessness was unequally distributed across the different ethnic groups in the village. In 1945, there were 126 persons in the village who received land, none of whom had owned more than three jugars of

²⁶ 'Official Testament of the Assets that had not been stolen of Stefan Weschelenyi, who fled with the German-Hungary armies' File Number 1075/1945 Agricultural Section, State Archives, Zalau

²⁷ The exception is the claim of those Romanian-Germans and Romanians who were dispossessed of their land by force in 1944.

²⁸ The figure comes from the 1948 census. Population figures taken from the Office of the Mayor, Mirsid

land.²⁹ Out of the 92 Romanian beneficiaries who received land, 32 did not own a house of their own and 11 had no land of their own. Of the 13 Hungarians who benefited from the distribution of land only two persons previously were landless or without their own house. Before the reform was implemented, amongst the 21 Gypsy beneficiaries, 10 owned a house of their own whilst 19 owned some land.³⁰ Under the Act, the Land Commissions included three smallholders. According to some older informants, along with the mayor and the secretary, three old men identified who was to receive land and then paced out the boundaries of the new strips. The final record of the distribution records that 233 jugars of arable land were divided amongst 131 persons in the village, making the average plot less than two jugars. As the majority of the beneficiaries owned less than two jugars prior to the land reform, it was clear that the implementation of this reform was not going to create agriculturally viable holdings for all of them. According to some of the older villagers, many of those who received small amounts of land simply sold them on, just as they had after the 1919 reforms.³¹

It would seem that these figures go some way to supporting the argument of Roberts, that the 1945 reform was not aimed at creating a viable system of private, family-based holdings, but was introduced in order to neutralise the political power of the peasantry at a crucial juncture in the imposition of Communist power.³² Once again, land was a reward for wartime services and an attempt to create loyalty to the new regime. The small size of plots created meant that many recipients quickly left agriculture to join the new urban factory workforce. In fact, the main beneficiaries of the 1945 reform in Mirsid were the state and the village authorities. The latter received 71 jugars of arable land whilst the state retained for itself the vast areas of forest land that the Weschelenyi family had owned.³³

²⁹ Figures compiled from the 'Definitive list of beneficiaries under the 1945 Agrarian Reform' Judetul Salaj, Comuna Mirsid, Agricultural Section, State Archives, Zalau. The aim of the 1919 reform had been to create minimum holdings of five jugars per household.

³⁰ Definitive list.. Ibid.

³¹ This was stated by Gheorghe Olaru, Ioan Nemes and Ioan Pop in separate interviews conducted in Mirsid, July-August 1997.

³² Roberts op cit. p. 223.

³³ Report of the County Chief's Office , 2 March 1946. Agricultural Section. State Archives. Zalau.

6. Collectivisation in Mirsid³⁴

The tradition of scattered small holdings and labour-intensive farming appeared to make Mirsid an ideal location for the establishment of a collective farm, and yet it was not until the final year of the collectivisation campaign that the last peasant farmer joined the collective. Quotas were introduced in 1952 and fixed according to the amount of land owned and the number of cattle reared.³⁵ Though only a handful of landowners possessed over 10 jugars, older villagers recalled how almost everyone was subject to quotas after the war and that they were set extremely high. One farmer said that, after fulfilling his quota he might only be left with one sack of grain from two jugars of arable land. For the larger landowners, the proportion of the harvest demanded under the quota system was sometimes so great that they were obliged to buy from others so as to fulfil their quota. Under Decree No.183/1948, non-observance of the state plan was an offence punishable by between one and twelve years in prison or a fine of between 10,000 and 100,000 lei.³⁶

No-one in the village actually renounced their land because of pressure from the quotas. However, they did exacerbate the drift from agricultural work to employment in the nearby towns of Zalau and Jibou, as well as further afield to the mining regions in the north of the country. Migration in search of work continued throughout the Communist period, so much so that by the late 1980s agriculture in Mirsid was an occupation primarily carried out by women and old men.³⁷

The second consequence of the quota system was that it became in the interests of the peasants to misrepresent the size of their land. In order to reduce their quota, some lied to the compilers of the Agricultural Register, bribed officials to 'add' part of their land to another or 'pawnd' land to neighbours. As a result of these actions, there was an register of landholding in the village and a largely unwritten and secret version.

³⁴ For a more detailed account of the campaign to collectivise agriculture in Mirsid see Florin Abraham. *Studiu de Caz privind Colectivizarea Comunei Mirsid*. Judetul Salaj (1956-62). Unpublished thesis. Institute of History and Philosophy. University 'Babes-Bolyai' Cluj-Napoca. 1997.

³⁵ See Ionescu (1967) op cit. pp. 202-03.

³⁶ See Chapter Five n. 31 p.75.

³⁷ Figures collected from the collective farm reports show how, in 1978, there were 67 members of the collective farm living in Mirsid, 66 of them were women. Agricultural Section, State Archives, Zalau.

Villagers recalled constant visits throughout the 1950s from Party activists from Zalau and Jibou. There were frequent public meetings held in the village *Casa de Cultura* (Cultural House) to explain the advantages of working in common, house calls to prominent or influential private farmers and repeat visits to those who were reluctant to consider joining. Landowners who were reluctant to join a collective farm were summoned to the town hall where they were lectured at length on the merits of collective farming. Once they were allowed to leave, they were summoned to appear that evening for a further session of what was called *munca de lamurire*.³⁸ According to many of the older villages, explanations were supplemented by threats of violence, threats of deportation to the notorious Black Sea-Danube Canal and, on some occasions, actual disappearances.³⁹

In 1958, the Party had their first success when they managed to persuade a group of railway workers in the village to pool their smallholdings and form an *Intovarasire* (TOV). The TOV '*Gheorghe Gheorghiu-Dej*', began with only 30 members and a combined land mass of 15.82 hectares.⁴⁰ In order to allow for mechanised farming over single fields, the local agricultural authorities organised land exchanges for the TOV ensuring, as Nemes recalled, that the TOV had better quality land and was closer to the centre of the village. As he put it:

We were all watching to see how it would do. If it had done well, of course we would have joined it.

Later in the year, a second TOV was established including peasant farmers from neighbouring villages. This farm had a much greater surface area and a total of 617 members.⁴¹ By the following year the proportion of land in the county within the socialist sector had risen to almost 63%.⁴² The second TOV worked for two years until January 1961, when it was converted into the 'superior' collective farm (CAP).

³⁸ Literally - the work of explanation.

³⁹ Interviews with Ioan Nemes, Ioan Roman, Dragalina Abraham. Mirsid, August 1997.

⁴⁰ File One, Archives of the Collective Farm in Mirsid, Agricultural Section, State Archives, Zalau.

⁴¹ Ibid.

⁴² *Anuarul Statistic al Republica Populara Romana*. Bucuresti. Institutul Centrala de Statistica. 1961. p. 175

6.1. Transforming production

Those who worked on the farm from the beginning recall that in the first two years of production 1961-63, the conditions of work were adequate. There was little mechanisation, but in terms of the proportion of the harvests members received, it was sufficient. It was after this point that working for the CAP became unrewarding. Roman was asked to be the farm's President but he declined; he remembered that, in 1963, one day's wage from the collective was not enough to buy even half a meal in the nearby town. Throughout its existence, agricultural production on the CAP relied heavily on labour inputs.

However, the combination of arduous work, low wages and the low esteem the farm's engineers were held in, alienated many of the villagers from the CAP. According to farm workers, officials and a former President, from the middle of the 1960s theft from the farm became routine. A second indication of disaffection was the increase in economic migration, particularly amongst the younger villagers. This was not confined to the workers in the fields. One of the farm's Brigadiers⁴³, recorded in the Party assessment as being 'an honest man, but with debts owing' simply abandoned his position together with another farm official. The same report noted that there was never the full complement of workers. At least one fifth of the workforce did not turn up to work, preferring salaried employment in the towns.⁴⁴ An indication of the degree of difficulty the CAP experienced was that in 1964, owing to the farm's 'poor productivity', 400 hectares of the farm's land was transferred to the state farm in Jibou. One of the reasons that the CAP was able to do this was because in January 1962, the CAP in Mirsid had been merged with the collective farms in neighbouring Moigrad, Popeni and Firminis. By October 1962, the combined total of land in the farm was 2380 hectares, 1612 of which were arable. From the middle of the 1960s until the 1989, the combined CAP concentrated its attentions on the raising of livestock, rather than arable production. The amount of land devoted to pasture was increased, mainly at the expense of cereal production and according to one of the last Presidents, towards the end of its time, the CAP had become fairly successful in this area, even exporting its meat to Italy.

⁴³ The farm was organised into different teams, some working in vegetable production, livestock, fruit growing etc. Each team consisted of about 50 people and was headed by a brigadier, with each position being sanctioned by the Party activist who worked on the farm.

⁴⁴ File 10, Section 5, Official Account of the Statistics and General Workings of CAP Mirsid, Agricultural Section, State Archives, Zalau.

6. 2.Transforming private ownership

CAP members were allowed to retain the land immediately around their house, 10 ari of garden and five ari of vineyards. It was an offence to withhold other land from the CAP. As described in Chapter Six, the personal plots had great economic and symbolic importance during Communism. Whereas their wages were almost always uncertain, the allotment allowed members to provide food for themselves and for any animals they might raise. The conditions of their use, though, were insecure. If a member performed all of his allotted yearly norms, then he was included upon a list of beneficiaries whose 'licence' to use their personal plots would be renewed.⁴⁵ Every year, in order to retain their plot, members had to ensure that their name was on the list.

This system generated many conflicts between CAP officials and members. Former members recall how CAP officials took from the personal plots to make up the shortfall on production targets. Similarly, if an individual complained his name might be struck off the list, his plot might be confiscated or he could find that a tractor had been ordered to drive over his plot.⁴⁶ Disputes over personal plots seldom reached this far. Whilst 'dissent' might well bring trouble, none of the informants actually recalled a time when a tractor was driven through a garden. Similarly, it was quite possible to get tractor drivers from the MTS to plough personal plots in exchange for food, wine, brandy, cash etc. Part of the reason why local CAP officials were reluctant to undermine property relations might have been because that they, too, were 'owners' of personal plots, they knew how much work went into the plots and the importance of the food for the household. In addition, allocating personal plots gave officials an important power which could be used for personal gain, for information, to foster dependency or simply to maintain good social relations. The regime of personal plots was a good example of what Deletant calls the 'ambiguities of life under Ceausescu' whereby:

⁴⁵ Norms were the units of labour used to apportion work. They were set by the General Assembly of the CAP with the advice of the governing committee. According to many of those who worked for the farm, they were usually set at rates that were very difficult to reach. The importance of holding onto the plot meant that Doctors were sometimes bribed to produce letters describing disabilities and illnesses that prevented a worker from fulfilling their norms, children worked for older parents, husbands for wives, as well as outright bribing of the engineer in charge of drawing up the list. Interviews with Ioan Roman, Dragalina Abraham and the ex-accountant of the CAP. Mirsid, July-August 1997.

by appealing to ties of friendship and family or to naked self interest, a person could circumvent the strictures of the regime.⁴⁷

The debt repayment programme of the 1980s ended the relatively settled nature of local property relations.⁴⁸ In 1985, Party activists from Jibou began to complain to the CAP officials and engineers that productivity levels were too low and too many people did not turn up for work. The reason, they claimed, was that members spent too much time on their own plots. In order to redirect the members' attention, they ordered the vines in the personal vineyards of the CAP members to be uprooted. Vineyards had existed on the hills since the 1930s. Most villagers who cultivated them grew the grapes to make wine; some of the CAP officials and engineers themselves had vineyards on the hills. According to one informant, for three years CAP officials successfully stalled the activists and regional bosses. Eventually, though, they lost, and in 1988 the first vineyards were uprooted. To some of those who lost their vineyards, the uprooting had no effect on the CAP's productivity. On the contrary, it further antagonised relations between the CAP members and officials. As the last CAP engineer explained:

if he [the engineer who ordered the uprooting] had stayed around he would have had big problems.

At least partially, local control over land use was reasserted by making exceptions to the rule. Gifts from those on good terms with the CAP engineer and the local branch activist allowed some to 'slip through the net'. Some peasants who lost vineyards were immediately given another plot, even though this one may have confiscated from another. Ioan Roman for instance, was told that his vineyard would be pulled up, but that if he asked, he would be given a new plot. As it turned out, he was given land previously owned by his brother-in-law.

The last CAP accountant recalled how farm operations became chaotic after 1983. As the demand for higher yields increased, the CAP officials simply took more produce from the garden plots. Wages were paid erratically, and norms were set at levels few could attain. One member, who worked all her working life in the CAP,

⁴⁶ Information supplied by Ioan Nemes and Ioan Roman.

⁴⁷ Deletant op cit. p.xxv.

⁴⁸ See Chapter Six pp.97-100.

said that no-one could fulfil the norms; sometimes she could manage half, but still she was threatened with deportation to the labour camps building the Canal.⁴⁹ Even if they did fulfil their allocated number of norms, CAP workers were sometimes paid as little as 10% of what they had been expecting. Many of the villagers remember with bitterness working for the CAP in the 1980s and of how those that could find work in the towns and cities did so, leaving the farm. An agricultural report in 1978 recorded that there were 67 full time CAP workers in the village at that time, of whom 66 were women. The only reason for working on the farm, said one older woman, was to hold onto the private plots.⁵⁰

7. Spontaneous land reforms after 1989

Even though Mirsid was characterised by near feudal social and economic relations, land hunger, poverty or crippling debt, there was little authentic direct action by the poorer peasantry against the rich.⁵¹ After both world wars, land redistribution followed, rather than preceded the law. Things were different in 1990. Rather than waiting for any reform law, the villagers took it upon themselves to restore the old boundaries from before the creation of the TOV in 1957. This year was the last before private land, particularly *intravilan* land, began to be treated by the authorities as building material for the construction of socialism in the countryside.

Roberts points out how land redistribution did not tend to produce the displays of gratitude the authorities expected. There was a sense in which the peasant thought the land was rightfully his anyway and treated those who claimed to be distributing it as upstarts. Such sentiments were evident in Mirsid. Repeatedly, older peasants asserted that there was no need to wait for the state to act, for the topographical engineers to arrive with their pre CAP/TOV maps or for the city lawyers to search *Cartea Funciar* for the numbers of the fields and the exact measurements of the

⁴⁹ Interview with Agnes Ertesz, Mirsid, August 1997. In the 1950s the Canal was a by-word for Gulag. Although conditions improved in the 1960s and the project was stopped on a number of occasions, its vicious working were responsible for the deaths of hundreds of prisoners. See Deletant op cit.

⁵⁰ The effect of the demise of farming on the composition of the village population was profound. Whereas in 1948 there were relatively equal numbers of men and women in the village, by 1971 there were 349 women to 307 men. In 1948, there were 153 males aged between 15 and 44; by 1966 that figure had dropped to 136. Demographic Statistics from the Office of the Mayor, Mirsid

⁵¹ Roberts, who travelled through 30 districts throughout the country during and after the Second World War, said that he saw relatively little evidence of spontaneous land grabbing. On the contrary, even in the areas occupied by the Red Army, the land and estates of those who had fled was largely untouched. The conclusion that he drew was that the premature seizures of land before any law had been passed were merely part of the 'mock revolution' the National Democratic Front (The coalition of left wing political parties that included the Romanian Workers Party) was forging. Roberts op cit. p. 293.

arable strips.⁵² As 'everybody knew where their land was', the overthrow of the dictator Ceausescu in December 1989, was simply the opportunity to return to their old land and start private farming again.

The fact that the last President and a number of agricultural engineers and officials remained in the village ensured that some attempt was made to reform the CAP.⁵³ Many villagers did return to their old plots, declaring that they would work with their own hands if they had to. Yet, as the agricultural engineers argued, after over 30 years of collective farming, there was very little support for those who wanted 'to go private'. The seeds, fertilisers, herbicides were all supplied by the state, the land was prepared by the MTS and the main produce buyer was the state.⁵⁴ The reformers promised that those who left their land within the CAP would be paid according to the amount of land owned and the amount of labour, if any, they contributed.⁵⁵

This new method was accepted by the majority of CAP members. Figures from the harvest of 1990 show that the CAP produced 25 tons of sunflowers as compared with the three produced by those who worked their land themselves, 694 tons of corn compared with 96 and 500 tons of autumn potatoes compared with 10 tons produced by the 'private sector'.⁵⁶

The motivation for working privately was not solely based on the amount of land owned or whether a person had ready access to agricultural machinery. Some peasants left the CAP to re-assert their independence, and to work without the relentless supervision of brigadiers and engineers, even though the actual size of the

⁵² Three out of the four elected land Commission members were interviewed on a number of occasions. When asked about methods of establishing ownership, each spoke of the relative ease of reconstructing the old map, that everyone knew where their land was, and if they did not then collectively that information could be found out.

⁵³ In many parts of the country, the collapse of the Ceausescu regime was manifested in the dismissal or expulsion of Party Secretaries, CAP Presidents and particular farm officials. See Kideckel (1993) *op cit.* pp. 218-23 for example. In Mirsid the 'survival' of some of these figures from the 'old' regime may be linked to the promises that they made about allowing villagers to reclaim their old land back, together with the relatively weak social status of many of the members of the CAP, for instance, the middle aged and elderly women and those who had had no land before the collective farm. Much of the information on the first year of reforms after 1989 came from the former CAP accountant and the new Mayor. At the same time it was supplemented and cross checked with other members of the Commission and other former members of the CAP.

⁵⁴ For more on the difficulties of returning to small scale private farming see Chapter Seven pp.125-130.

⁵⁵ So for instance, those who were younger or who had access to tools or labour from their family, would only rely on the collective to organise the ploughing of the land. The seeding, maintaining and harvesting would be done by the family, thereby ensuring that they received a greater share of the harvest. For others, their role became that of a passive landlord, simply receiving a proportion of the harvest in accordance with the amount of land they let the collective use.

⁵⁶ Statistics obtained from the Agricultural Section of the Mayor's office, Mirsid.

private plots would, in other contexts, be deemed economically non-viable.⁵⁷ One private farmer, in his late forties, was still working his three plots privately in 1997, even though he possessed no agricultural machinery of his own, and notwithstanding the fact that his plots amounted to less than one hectare of land in all. According to his wife, they kept the land because 'he likes to work', and what was grown was primarily for domestic consumption rather than for sale. Additional labour was provided by his children who, whilst no longer living in the village, visit one weekend a month to work the land.⁵⁸

How land was used depended more on the ownership of tools and the ability to attract labour than on the amount of land previously owned. Some villagers were able to uncover their ploughs which had been hidden from the authorities for thirty years. Yet, many of those who wanted to work privately found it difficult to secure the extra labour they needed. Some had the support of family members who lived in nearby Zalau or Jibou. Others, though, either found their relatives uninterested or living too far away. As one elderly peasant put it, 'the young don't like working in the fields'.

9. Restitutive Justice before the law

The re-organisation of the CAP restored the boundaries from before the TOV in 1958, and granted to the owners the property rights which they enjoyed before the onset of the Communists. However, the restoration of individual 'title' was not the limit of the land reforms. The collapse of the power of the local activists and the election of a new mayor gave an opportunity to right certain 'wrongs'. The disputes over which wrongs should be dealt with illustrates local ideas of justice and desert, and can be compared with those contained in Law 18/1991.

9.1 Dealing with the state

One of the first attempts at reverting to the pre-Communist map of land tenure occurred with the local state farm. After decoupling the collective farm in Mirsid from

⁵⁷ In 1948 Golopentia had declared that for the average household, a holding of 3 hectares was the minimum that could sustain them. In the debates on agricultural reform in 1990 in Parliament, the National Peasants Party proposed that the minimum holding should be 5-6 hectares. See Chapter Seven pp.112-14.

⁵⁸ Interview with Ioan Pop, former CAP worker.

the other collective farms in the nearby region,⁵⁹ officials from the CAP, the Mayor and 'all the important people'⁶⁰ approached the state farm requesting the return of 82 hectares of land from around *Halta Girceia*. Along with portions of the village's communal land, this had been transferred to the state farm in the 1960s. Giving up land or exchanging land between a CAP and state farms was a fairly common feature of socialist agriculture. The state farms received greater investments and their workers were employees rather than members, which meant they were paid a regular salary rather than according to the system of norms. One of the CAP's Presidents said that there was never any question of the CAP refusing to transfer land to the state farm. It was entitled to choose whatever land it wanted, despite the fact that it was not clear if the CAP had the power to transfer its land.⁶¹ Villagers who claimed to have once owned land in the area occupied their old plots and started working them. The censure of the region's Prefect was not enough to displace them, one declared that they (the state farm) would have to shoot the peasants before they would give up their land.⁶² Eventually the state farm and the Prefect relented. The following year, a topographical engineer was sent to measure the boundary between the state farm and the now numerous, adjacent private strips.

In an echo of the 1919 land reform, boundary disputes brought villagers from Mirsid into conflict with neighbouring villages, yet informants spoke of there being little animosity and that the parties usually came to an 'understanding'.⁶³ Greater hostility was directed at the local authorities; for instance, the villagers accused the officials in the Prefect's office of wanting the land around *Halta Girceia* for their own personal benefit. The campaign to reclaim the village's communal land was organised and determined. The question of how the reclaimed land would be used was of little importance compared to the justice of restoring the pre-CAP/TOV boundaries. The quotation about 'shooting the peasants' was rhetorical and perhaps embellished over time, yet it does indicate a moral, absolutist conception of property rights, based on the local fact of previous ownership rather than on its legality, economic viability or 'public interest'. This attitude was demonstrated in a modified form in property disputes between villagers.

⁵⁹ Interview with the former accountant of the CAP.

⁶⁰ The phrase comes from Ioan Roman, one of the 'delegates' who spoke at the meetings between the village and the region's prefect.

⁶¹ See Chapter Six pp. and Verdery (1994) op cit. p.

⁶² Ioan Roman claimed to have said this to the Prefect.

⁶³ Gheorghe Olaru, Dragalina Abraham, Nemes, Roman all attested that there was seldom any problem between villagers from Mirsid and neighbouring Firminis or Poptelec.

9. 2. Dealing with the vineyards

The agricultural engineer who gave the final order for uprooting the vineyards left in December 1989. According to one villager, if he had stayed 'he would have been in trouble'.⁶⁴ Once villagers started returning to their previous holdings, conflicts between owners and occupiers were inevitable. These plots were extremely important in the domestic economy of the village. For many CAP members, they were the only reason for working for the farm. After 1987, some villagers secured new plots, some already planted with vines. Despite the fact that the uprooting was to get the peasants back to the CAP, villagers were allowed to replant vines. By 1990, many of these were starting to bear fruit.⁶⁵

The fate of Ioan Roman is a good illustration of what happened between owner and occupier. In 1988 his vineyard was pulled up and, when he complained, he received five ari in another place, albeit without any vines. He planted vines and worked hard on them. In 1990, the previous owner, his brother-in-law, told him that he wanted his old land back and that Roman would have to leave. Although Roman offered to pay for the land, his brother-in-law refused to sell and, furthermore, said he was not going to give him anything for the work he had done. In other cases in Mirsid, previous owners returned to their old plots and pulled up the vineyards that were growing there. As far as Roman remembers, no-one was ever compensated for the work they had put in.

Some occupiers negotiated an exchange of land or bought the land from the previous owner. These deals depended on whether the owner had other land or vineyards, and the state of relations between them. One practical problem which undermined the occupier's position was that plots were organised differently during the CAP era. Personal plots were usually allocated in strips that went up and down the hill rather than around the hill as they had before. Those wishing to hold on to their recently acquired plots had to negotiate with more than one owner, thereby increasing the risk that the vineyard would be broken up. One vineyard owner, for example, had to seek the agreement of 5 separate owners before he could work his

⁶⁴ Interview with the former CAP accountant.

⁶⁵ The idea of uprooting was to get peasants working for the CAP. Yet in the early stages of growth, vines require a lot of work and attention which distracted peasants yet again from their CAP duties.

whole plot. In general, the claims of the previous owners were absolute and appeared to be accepted by both owners and occupiers. Though the ex-CAP engineer mediated in certain cases, she said there was little she could do to insist on an outcome. Whether or not an individual retained ownership of the personal plot they had worked on depended almost entirely on the attitude of the previous owner.

10. Restitution and agrarian reform

Restoration of the old boundaries was not the goal of everyone. Others, aside from the former CAP officials, attempted to introduce other criteria into the land division. A majority of members decided it was not possible to work all of their reclaimed land themselves. In the interim, the best and, probably for many, the only alternative, was to leave their land within some kind of agricultural association. The problem with the restoration project was that it divided large areas of land into hundreds of narrow strips, which made mechanised working difficult and costly. As a compromise, officials from the village and regional authorities attempted to introduce zoning of the village land, whereby those who wanted to work privately were placed in one area, whilst those who wished to rent their land were placed in another. The size of the former plots would be respected, it was just the location that was different.

Before the CAP was formally dissolved in 1991, and before the legality of the land reclamation was recognised, some informal exchanging of land did take place.⁶⁶ In 1990, exchanges were fairly frequent as it was relatively clear who was going to let their land and who was going to work it themselves. They were registered in front of the mayor, in the presence of other neighbours or, later still, declared in front of the Land Commission. Even after the law had been passed and individuals declared to be the 'reconstituted' owners, there were reports of exchanges still taking place outside the formal processes of the legal system.⁶⁷

Decree 42 was the first state land reform. It declared that the land on which a peasant's house was built and the adjacent gardens was private property.⁶⁸ For those villagers whose gardens had been confiscated, this involved the CAP engineer

⁶⁶ The ex-accountant of the CAP, who became an agricultural officer in the mayor's office said that she was approached many times to organise and facilitate exchanges. These were recorded at the mayor's office and were simply confirmed in front of the Land Commission in 1991.

⁶⁷ Ioan Pop, who considered himself to be a representative of those villagers who rented land to an agricultural association from Zalau, claimed to have arranged 4 exchanges of land in his house.

'finding' five ari of land, in this case taken from the former site of the Orthodox Church's land.⁶⁹ Decree 42 also authorised the extension of personal plots to 50 ari. The same CAP engineer selected one plot of 78 hectares on the outskirts of the village and attempted to divide this amongst the villagers and the others who were eligible, mainly those originating in Mirsid, though living now in Zalau. With the help of the MTS, the whole area was seeded. The attitude of the beneficiaries to this land is important. Despite the fact that Decree 42 provided that these plots would be let on a long use basis, several villagers said they never considered the 50 aris of land as theirs. Their caution appeared to have been well founded. In the following year, the previous owners returned to claim their land.

11. Remembering Boundaries

The local landscape did not undergo radical changes in the Communist period. In terms of the layout of the fields, the crops grown and the types of boundaries laid down, the CAP created an altogether different landscape. Despite this, many former owners returned to the place where they claimed to have owned land and started strip farming once more. Some relied on extracts from the *Cartea Funciar* to prove their claim in front of the mayor and anyone who challenged them.⁷⁰ These were almost universally accepted as definitive. However, for many others, the fact that 'everyone knew' where the old boundaries were meant that there was no need to draw on official sources. Even if someone did not know the precise location of his parent's land, he could always obtain this information from their neighbours or, if need be, from the older members of the village.⁷¹

Whilst the restitution process was a chance to collectively recall the exact location of the old boundaries, a great problem for some was that changes in land ownership,

⁶⁸ See Chapter Seven pp.111-113 for the background to this reform.

⁶⁹ The Decree also allowed the CAP General Assembly to create personal use plots of no more than 50 ari for the benefit of the workers of the machine tractor stations (the old SMA), agricultural engineers associated with the co-operative and those who might actually wish to join the CAP at this stage and commit themselves to work the land. The Assembly was also authorised, land permitting, to distribute up to 0.25 hectares to those from neighbouring villages who wished to work the land. In return these beneficiaries had to agree to pay income tax on the amount of produce grown and to cultivate the land appropriately.

⁷⁰ This was recalled by each of the 3 elected members of the Land Commission interviewed - Nemes, Roman and Popescu.

⁷¹ Those who lived in Zalau or Jibou, or even further afield (one celebrated returnee came from the United States), came throughout the year to reclaim theirs or their parent's land. And, as recalled by more than one informant, they were not always sure where they would find 'their' land and had to be helped by others. Interviews conducted with Dragalina Abraham, Roman and Alina Dragos.

particularly during the period of the quotas, had been secret. The difficulty for the 1991 Land Commission lay in unearthing precisely what had taken place.

12. Law 18/1991 - 'a law for the peasants not made by the peasants'

By the time that Law 18/1991 was introduced in February 1991, many of the former owners were either renting out their land or working it privately. The law exposed unsettled disputes and demonstrated how the old system of knowing land boundaries had broken down during the Communist period. It also authorised a very different type of land division from the one already achieved. If they wanted, the Land Commission could divide the land so that everyone who worked for the CAP and everyone who brought land to the CAP received exactly the same amount. They could allocate strictly according to future use, dividing the land into blocks rather than strips, and ensuring that everyone had roughly the same proportion of grade A land, grade B land, hillside, flatland, pasture etc.

In Mirsid, none of these options were taken. As officials from the mayor's office and the Land Commission acknowledged, by the end of 1990 the majority of villagers already considered that they had reformed the local map. Those elected to the Commission saw their role more in terms of confirming the 1990 arrangements. Three out of the four elected members explained that they had been nominated because they could remember accurately where everyone's plots used to be. Though the Commission was entitled to verify settlements on the basis of the Agricultural Registers, *Cartea Funciar* and the membership lists of the CAP, there were occasions when claims were based solely on the testimony of a previous owner. It was then that these four could 'exercise their mandate', pitting their memories against the claimants.

Some peasants resented the interference of Bucharest, reflected in remarks such as, 'We didn't need to wait for Bucharest to be told that we have the right to return to our land',⁷² or 'it [Law 18] was a law made for the peasants though not by the peasants.'⁷³ There was a distinct protective attitude towards local settlements, one which undermined the effectiveness of external scrutiny.

⁷² Aurie! Vlaci, former member of the collective farm.

12.1. Public recognition of ownership

The Land Commission had three main tasks. First, to reconstitute the property rights of former owners by examining the original membership list of the CAP where the amount and position of each new member's land is recorded. The second task was to divide the 'surplus' land between those who were entitled to have land restored or, in the words of the law, 'constituted' to them.⁷⁴ Finally, the Commission assumed other roles such as the settling of disputes between heirs and attempting to organise the consolidation of holdings. In practice, both the first and third stage were fraught with problems.

The first stage for all claimants took place in front of the mayor. If claimants could convince him that they had a *prima facie* entitlement to land, they received an *adeverinta* (certificate) which he signed, confirming that the claim was plausible. If this was made by a former owner, it indicated the amount of land claimed. A claimant then presented this document to the Land Commission. It was the latter's responsibility to test the claim and, if they were satisfied that it was genuine, a record was made specifying the amount allowed and the position of the land claimed. With these lists, the Land Commission drew up a new map of land tenure in the village.

Once a particular field was full, the Commission called all the owners to a meeting in the field to record precise boundaries. Each claimant was required to say how much land they had in the field and who was their neighbour to their right and to their left. For many, this must have appeared strange as they had been working on those plots since the beginning of the preceding year. For the benefit of the Commission and their neighbours, some had already set marking posts on their boundaries. If all was agreed, the engineer recorded a more definitive list of ownership in that area. As there was no formal cadastral engineer sent from the county agricultural department, the mayor and one of the local engineers then measured out the individual parcels, placing boundary markers where necessary.

For those who had joined the CAP with little or no land the process was simpler. They were informed how much land they were going to be given, where it was, and

⁷³ Stefan Ionescu, former brigadier of the collective farm.

told to turn up on a particular day when the engineers would mark out the precise boundaries. Once that was done, they were issued with temporary ownership titles. Once a month, the completed decisions of the local Land Commission would be sent to Zalua to the County Land Commission where they were confirmed or, as happened in some cases, modified.

The verification of ownership rested, in some places, on shaky foundations. Claims were processed using methods of proof which, as both claimants and Commission officials acknowledged, were inconclusive. The Commission knew, for instance, that the Agricultural Register of 1959 contained false declarations. Similarly, recourse to the memory of the older villagers was not without its problems. One of the agricultural engineers was very reluctant to rely on their testimony on the grounds that, 'sometimes they could be manipulated'.⁷⁵ That same engineer recalled how a number of people came to her office saying that they knew they owned land but they simply could not remember how much and would she check for them in the Agricultural Register. In some cases where she failed to locate any entry against their name she remembers how the disappointed claimant, after consulting with his neighbours, returned to the mayor's office declaring that he had 'found' his land and that he had witnesses to prove it.⁷⁶

12.2. The reluctance to reopen hidden deals

Restoration of the old boundaries ensured that certain transactions which had been private matters up to that point, became public. This was not without problems, for in some cases, one of the original parties had died or moved to another part of the country. In other cases, both of the original parties were present but disagreed over the precise terms of their original agreement back in 1955. In both situations the Commission had to adjudicate.

⁷⁴ 'Surpluses' were created by limiting the claims of former owners to a maximum of 10 hectares, by using the land of CAP members who had died without having any heirs and, if necessary, reducing the amount that every former owner could claim by a specified percentage. See Chapter Seven pp.123-124.

⁷⁵ Nemes did concede that there had been problems with two cases where the Commission suspected that a false claim was being made. However he declined to give any details of either case.

⁷⁶ This engineer worked in the mayor's office at the time and was responsible along with the mayor and his secretary for the drawing up the initial claim papers.

A woman called Kolencs told the Land Commission that in 1953 she and another villager had exchanged plots of land.⁷⁷ Both plots were roughly the same size, yet for each the problem was that they were relatively far from home. As Kolencs' plot was close to the other villager's house and his was close to her house, they had exchanged plots. However, in order that she could qualify for a lower tax obligation, they agreed to place his name on the agricultural register as the owner of both plots. Later on both plots became part of the CAP. In 1990, the man returned to work on the plot he had owned before the exchange. The one he received from Kolencs was split between his brothers. When Kolencs challenged him, he claimed he had bought the land she claimed to be hers from the village teacher, who happened to have died some while before. As there were no witnesses or old neighbours to attest to the accuracy of either claim, the Land Commission refused to intervene and the man prevailed.

In other instances, those who had unwittingly had land added to theirs in the 1950s, found that they were able to keep the extra land. Ioan Roman, for instance, was told that one jugar of land had been accredited to him as part of a deal that took place some time in the 1950s. As the original owner had since left the village, and his heirs were unaware of the 'arrangement' with the Registry officials, Roman accepted his extra jugar.⁷⁸

In both these cases, the basis of proof was the misleading Communist Agricultural Register. The Commission preferred to rely on the relative certainty of the Register rather than face the difficulties involved in discovering the 'original' position.

12.3. Breakdown of customary expectations

The de-collectivisation of land created inheritance problems. The 'loss' of the power to dispose of land, once it was in the CAP, meant that it was rare for inheritance matters to be formally addressed during the lifetime of a owner.⁷⁹ Very few wills were drawn up, and what arrangements were made were likely to have been oral

⁷⁷ Kolencs was interviewed in August 1997. After speaking with her, a number of points she raised were put to other villagers. Although none were able to verify all the contents of this story, they did confirm that she had had problems with the Commission and that so far she had appealed to both the court and the Prefect.

⁷⁸ Interview with Ioan Roman, Mirsid, July, 1997.

⁷⁹ See Section 3 of this chapter. For other accounts of Romanian inheritance practices see Stahl op cit. pp. 42-5, 151-4, Verdery (1983) op cit. 245-256 and David Kideckel. 'Economic Images and Social Change in the Romanian Socialist Transformation'. *Dialectical Anthropology* (1988) Vol. 12 No.4 399-411.

rather than written, and to have covered only one part of an owner's land. Whether Parliament anticipated few actual problems in this regard, or whether it believed the subject would complicate the work of the land commissions, Article 12 of Law 18 referred all disputes to the District Court for settlement. In Mirsid, as in many other parts of the country, the reorganisation of landholding created many protracted disputes between siblings over the right way to divide their parents' land.

One illustration of the types of disputes created was the case of Magdalena Abraham. Originally from a neighbouring village, Magdalena moved to Mirsid after she got married and, as was traditional for the majority of newlyweds, began married life living with her parents-in-law. Her husband did not own any land. His father was a CAP member, and was therefore unable to make any gift of land to his son and new wife on their wedding. However, before he died, the father promised the son that he could have two hectares of land, even though the land was still in the CAP. No papers were drawn up but, as far as Magdalena was concerned, the promise was made. Further still, she spent 8 years looking after her sick mother-in-law. Before the CAP, this would have meant that she and her husband would have received a larger share of his parents' land. Again, this expectation was never subject to formal written confirmation. In 1985, Magdalena's husband died.

In 1990, Magdalena claimed the two hectares which had been promised by her father-in-law. She worked one hectare with her son and leased the other to the CAP. In 1991, her brother-in-law demanded that the two hectares should be returned to him and to his brothers. As Magdalena put it, 'from that point on it was as if a devil had been put between us'. Though she petitioned the mayor and the Land Commission to settle the matter, and though the latter was prepared to register her as the claimant to the two hectares, the mayor refused to adjudicate between them and the matter dragged on. Eventually, a settlement was concluded under which she retained the marital home and gave up three-quarters of the land that she considered to be rightfully hers. Although she believed that she was in the right she refused to go to the adjudicating notariat in Zalau, saying that this would have been shameful.

One common difficulty was that many beneficiaries no longer lived in the village.⁸⁰ Disagreements centred over how the land was used, and how much produce an absent owner could expect for his or her share. As will be examined later, the returns provided by the local agricultural association fluctuated, exacerbating the tensions created in the division process.

The mayor recalled how he was frequently called upon to mediate between families⁸¹. He said that whilst he did not have the power to impose any settlement, he would simply state what the position under the law was and then encourage them to sort out the issue amongst themselves, reminding them of the cost of going to court, and the expense of lawyers.

12.4. Self enrichment and *smecheri*⁸²

The extent to which the members of the Land Commission and other local officials took advantage of their position to acquire land for themselves or for others is always going to be difficult to assess. Few non Land Commission informants denied that this happened in Mirsid, yet the allegations need to be qualified. Some alleged corruption may well relate to misunderstandings concerning the precise scope of Law 18 and its provisions for constituting new owners. Others may relate to uncertainties over remembering. The fact that the Commission could acquire proof of ownership in 'any way' was bound to create disputes amongst those who claimed that 'he doesn't remember' or 'why did they go and ask her, she wasn't even born here'.

Some informants alleged that information about previous owners was obtained using methods reminiscent of the Communist Party. The mayor, along with two or three engineers from the CAP, were supposed to have made a number of house calls when there were particular difficulties in remembering land or in reconciling claims. Some informants alleged that the *intravilan* boundaries were stretched in the land

⁸⁰ An illustration of one of the difficulties created by the multiple ownership of small scattered strips was given by the method of subsidy tried out in the summer of 1997. Ostensibly in order to ensure that all owners actually received the subsidies, and that they were used only for purchasing agricultural inputs, the government ordered that every owner collect their subsidy from the mayor's office in the village in which they owned land. There, they would be issued with coupons that could be used at specified agricultural suppliers. The policy caused great difficulties and arguably great waste. Village based owners had to persuade their relatives to travel back to the village in order to then claim the coupons which could then be used to buy seeds, fertilisers etc. As the amount per owner was relatively small, many coupons were simply not collected.

⁸¹ Interview with Mayor of Mirsid, September, 1997

reform process for the benefit of the mayor and certain members of the Commission. This land was then sold on to persons from Zalau who started construction of their retirement homes.⁸³

Other villagers alleged that the Land Commission was open to corruption by those with local influence. On the outskirts of the village there was a field called *sub grajdului* (meaning 'below the stables'). One man called Pop, the owner of the only bar in the village, claimed he owned a parcel of land in this field, though none of his immediate neighbours remembered him as having been their neighbour.⁸⁴ The Land Commission accepted Pop's story that he had bought the land from a gypsy some years before and that he had papers to prove it. The other neighbours claimed that the gypsy never owned land in that field. The gypsy was not around to verify matters, having just died.

Whether Pop had a good claim to the land was impossible to determine. In the view of the neighbours, the Land Commission had simply stolen their land for his benefit. To create the extra strip in *sub grajdului*, the neighbours claimed that the Commission 'shaved' four *ari* off each plot. Instead of one *jugar* equalling 58 *ari*, as was commonly accepted, the Commission set one *jugar* at 54 *ari*.⁸⁵ The neighbour's interpretation of events was that an 'understanding' between Pop and the Commission had been reached. The irony, though, is that Law 18 allowed the Commission to shave off equal portions of land from previous owners, if this would enable them to create viable parcels for others. In this case, it is unlikely that this is what the Commission did.⁸⁶

12.5. Weak enforcement of the decisions of the Land Commission

The national organisation increased the dependency of the Land Commission on the local population. Article 10 of Law 18 provided that all claims should be settled within 90 days of the publication of the law, that is by May 23rd 1991. However, there were

⁸² This noun connotes cunning, swindling and duping.

⁸³ This particular allegation was made by Ioan Pop, representative of the villagers who rented to Agromec

⁸⁴ One neighbour made a solemn declaration in front of the Commission that Pop was never an owner of any parcel of land in that field. Though a number of attempts were made to speak with Pop, he refused each time.

⁸⁵ According to Ioan Pop, some of the owners of land in *sub grajdului* did not even receive 54 *ari*. When the strips were measured they were found to be 51 *ari* in size, some even 48-49 *ari*.

⁸⁶ Two factors which support this: the lengths the Pop went to prove his claim, and the fact that in no other instance did the Commission invoke their power to reduce the amount of land former owners were entitled to. This was despite the fact that there was relatively little 'surplus' land available.

problems throughout the country as hundreds of thousands of claimants sought to have the land register searched for copies of their original property titles.⁸⁷ Similarly, at the level of the local and state bureaucracy, there were organisational problems in the issuing of definitive legal titles. Part of the problem in the Zalau region was that there were simply not enough cadastral engineers to complete the tasks of measuring and remeasuring the new 'map' of tenure. In Mirsid, the mayor and a local agricultural engineer marked out the new boundaries and, on the basis of these markers, temporary certificates of ownership were issued. However, by 1997, many owners were still waiting for their final title papers.

These external problems have to be taken into account in any evaluation of the work of the Land Commission. Whilst they gave the Commission a greater degree of freedom over how claims were processed, at the same time the lack of support from the local and national state undermined their authority. In an echo of what the former *securitate* agent claimed took place throughout the 1930s, boundary markers laid down by the Commission had a tendency to move, particularly at night time and after ploughing. Each time a neighbour complained his land had shrunk, the engineer was sent to remeasure it, sometimes measuring the same piece of land on three or four occasions.

On other occasions, the authority of the Commission was denied outright. There was an old woman, Dragalina Abraham, who owned 9 hectares of land before the CAP absorbed it. She wished to reclaim the land, partly because it would be an asset for her family which one of her younger male relations could work and, more importantly, because she had worked hard on it when she was young. She came into conflict with a man in the village who not only claimed it was his, but went ahead and started ploughing the land. The woman did not go to the field meeting when the Commission laid the boundaries. Instead she denounced the occupier to the mayor and the Commission.⁸⁸ Even though she was unable to produce witnesses (they had moved to neighbouring Jibou), she claimed she was told by the Commission that they recognised her claim. However, the day before they publicly announced their

⁸⁷ Verdery mentions an additional problem in using the Land Register. The process of recording rights was to list all the plots to which a household held title according to individual topographic numbers. As she points out 'to get evidence from the Land Registry Office, one must have the topographic numbers of all the parcels in question, and many people lost these numbers, thinking they would never be needed again' Verdery (1994) op cit pp.1096-7. The fact that the majority of peasants owned more than one parcel of land and that there was only one Land Registry office with limited staff made it inevitable that the *Cartea Funciar* was used by a minority to prove their title.

decision, the occupier seeded the land, thereby ensuring that it would be at least one year before the owner could reclaim it. Since then, even with the Commission's decision in her favour, she has not been able to reclaim her land. She refuses to evict him whilst he has wheat growing there, but after every harvest tells him that he must now leave.⁸⁹ By 1997 he was still occupying the land and recently informed her that he was going to sell part of it.

Other informants supplied similar stories relating to particular parcels of land. They claimed that they had the authority of the Land Commission to say that they were the lawful owners, but that they were thwarted by persons who simply refused to leave their land. One old Hungarian woman said that she had asked the Land Commission and the mayor's office to enforce her title on so many occasions that she eventually became ashamed to go there. Even though she and her sister owned less than one hectare between them, she eventually gave up her claim.

12.6. Constituting new owners

Whilst the land division publicly acknowledged the wrongs done by the Communists against former property owners, for others the entire process compounded their marginal status in the village. The Commission was empowered to distribute land from 'excess land' to those who previously had little or none.

Each person who had joined the CAP with no land, or whose parents had joined with no land received 50 *ari*. Under Law 18 this was in recognition for their labour, and if they could show that they had worked for the CAP during at least the three years prior to 1990 they were entitled to up to 10 hectares. Article 16 of Law 18 provided that where only small plots could be formed from normal 'surpluses', then a reduction could be made of everyone's land in order to create viable sized plots. As described in chapter seven, there were other classes of beneficiaries who were entitled to small amounts of land, such as the local agricultural engineers.

⁸⁸ Interview with Dragalina Abraham, Mirsid, August 1997. Unfortunately it was not possible to conduct any interview with the other party to this case, and neither was the Mayor prepared to discuss the specifics of the case.

⁸⁹ Abraham displayed a similar attitude in relation to another portion of her land. Here the important point was not so much that she received an income from the land but that it was worked. She said she had been allowing a neighbour who had a tractor to use the land, even though he did n't pay her.

Notwithstanding Article 16, the mayor claimed that, under the law, former CAP workers were entitled to a maximum of 50 *ari* each.⁹⁰ The Commission ordered that all those who were not former owners should receive land in the same area, so the former CAP workers were given 50 *ari* in the same parcel where members of the militia received 50 *ari* each. To compound this distortion, for some former CAP members, the tiny plots were not even given in one piece. One recipient was given 20 *ari* of land surrounded by owners who wished to rent out the field as a whole. Even though he wished to work his land himself, he was told he would have to join the others and rent out his land to the local agricultural association, Agromec.⁹¹ Until 1997 he had not received any produce whatsoever from the association.

One, perhaps unusual, action by the Commission, was their treatment of land claims by the Gypsies of the village. Under the 1945 land reform, 21 Gypsy households had received between one to two *jugars* of land each. When some claimed their land back in 1991, other villagers alleged that most of the land that they had been given had been sold subsequently in 1945-46. Even those who professed to have good relations with the Gypsies confirmed that some claims were for land that had long since been sold by them. Nevertheless, in the majority of cases, the Commission accepted the claims and reconstituted the owners in the plots which the Gypsies claimed had been given to them in 1945. The allegation made by at least two informants was that the Commission believed that the claims were for land already sold, but decided nevertheless to recognise their claims.⁹² According to the *ex-securitate* officer living in the village, it did this to improve the living conditions of the Gypsies, granting them enough land to grow food for themselves. For some in the village, even if that was the basis for the decision, it simply confirmed their view of Gypsies as untrustworthy.

⁹⁰ This was also repeated by the elected members of the Land Commission. Part of the problem for this may have been in the drafting of the particular Article. It provides for the granting of land to both landless ex-CAP workers and to certain local officials, such as the militia, members of the agricultural office. However the conditions under which these two groups would hold land and the amount they may receive are very different. For the landless, the only restriction on their title was that they were unable to sell, mortgage or otherwise divide the land for a period of 5 years. After that they were indistinguishable from any other private land owner. For the local officials however, the amount that they could claim was specifically limited to 50 *ari*, and it was specified that the 'title to these lands is held by the commune, town or municipality, whichever is the case'. In other villages visited during the same period, the same figure of 50 *ari* was repeated as being the maximum that the landless were entitled to. In one village the amount granted was actually less.

⁹¹ Agromec was the name taken by the former state Machine Tractor Station, following its privatisation in 1990.

⁹² Both Ioan Pop and Gheorghe Olaru made these claims.

13. Self determination, precarious incomes and the protection of local decisions

Even though it was not possible to reproduce the old boundaries exactly, the land question was based on the belief that this was primarily a local matter. The decisions of the Land Commission were insulated from review by the absence of any effective enforcement mechanisms. Those who felt wronged could seek the support of higher political authority, some petitioning the Prefect himself. Yet the success of this approach largely depended upon the intervention of the mayor personally who, in the eyes of many in the village, was party to the 'deals'.

The other approach after having 'lost out' in the land reforms was to try to pass that loss on to some other party. Ioan Pop, who became the unofficial representative of those who leased land to Agromec, described how he managed to convince an Agromec official that they were renting more land than was actually the case by secretly using a 90 cm metre ruler to mark out the land. On paper, at least, land was returned to its previous owners.

However, despite all these attempts to shield such local arrangements from 'outside' scrutiny, the agrarian problem remained. The majority of the reconstituted owners were not in a position to restart work as arable farmers. The question of the communal pasture lands illustrated some of the difficulties. In 1990, many of the animals held by the CAP were given to individual households by way of compensation for the animals they had been forced to surrender to the CAP. Yet few villagers had enough land to grow fodder crops. Previously, the MTS was responsible for maintaining the pasture areas which had been used by individuals in order to feed their animals. After 1990, though, the mayor rejected Agromec's offer of a new contractual relationship. Instead he attempted to solicit cash and labour contributions from villagers wishing to graze their animals on the small pasture land. The officials at Agromec described how demand had increased - 200 animals now graze on the same size of land that fed 60 in 1989. They predicted that, in a matter of years, the land would be exhausted and that it would take at least 5 years of careful work to rejuvenate the land.⁹³

⁹³ Interview with Silvana Sempes and Vasile Chisu, Agromec, Jibou, September 1997.

Like other new agricultural associations, Agromec found it difficult to make ends meet in the new conditions. This was reflected in the fluctuating rents that they paid. In 1997, they promised 600 kg of wheat for renting a particular sized plot of land, in fact they were able to deliver only 300 kg. Despite this drop in income the prospect of them quitting the village filled those who relied upon Agromec with dread. Agromec officials believed that at least 70 % of the villagers in Mirsid rented part of their land to them.

Even though the majority of the village rented land to Agromec, by 1997 the plan to zone the land according to how it was worked failed. Officials from Agromec spoke of the difficulties in working certain fields because of the existence of a strip of 'private' land that blocked access for their tractors to other rented land.⁹⁴ Unless the owners of the unploughed land could persuade the private owner to part with his land by way of sale, exchange or rent, the land was left unworked. Pop, the 'representative' of some of the renters, complained that there was a small group of private farmers who blocked all attempts at consolidation, something echoed by Agromec. The Land Commission had tried to encourage exchanges and, according to the mayor, they had facilitated a number of them. However, this could only happen if both parties were in agreement.⁹⁵

14. Some Conclusions

Given that Law 18/1991 offered a mechanism for constructing a new system of landholding, why did the villagers attempt to recreate the boundaries that their fathers and grandfathers had made? The age of the villagers, the fact that many lacked machinery or capital makes their decision to return to strip farming appear perverse. The agricultural section of the Prefect's office in Zalau complained that, in 1997, they regularly received petitions from peasants asking for engineers to be sent to their village to help them organise themselves into small associations.⁹⁶ The problem for the authorities in Zalau was that, in 1990-91, many of the engineers had been willing to remain in the region to reform the collective farm system. The advice which they gave was that it would be disastrous for the villages to destroy their collective farms and to go back to the system of farming practised by their parents

⁹⁴ Some land was simply not available for renting even though the owner wished to rent it out because of the actions of 'stubborn' private farmers who refused to enter into any negotiations concerning granting access.

⁹⁵ Interview with the Mayor, Mirsid, August 1997.

and grandparents. According to that office, their advice had in the main been ignored and many of the engineers simply left the region.⁹⁷ Similarly, in 1991, the cadastral and topographical engineers drew up a series of programmes to reorganise the land of the different villages into zones - one area for those who wished to work their land privately and one area for those who wished to rent their land to an association. Even though they had been instructed by the county prefect to draw up these plans, they had been rebuffed by almost every village they eventually approached.

One answer to this puzzle relates to the experience of collective farming. For all but a few, collectivisation was imposed upon them. Working in the CAP did not entail the pooling of skills and labour for mutual benefit, but working under the supervision of someone from outside the village, who sometimes did not know what he was doing and yet, who always made sure he received his wage.⁹⁸ For the peasant workers on the farm it was necessary to resort to stealing in order to ensure that some return was obtained. Ownership of even the smallest amounts of 'personal use plots' was insecure going some way to explaining the sometimes rigid attitudes to occupation and ownership in 1990-91. The reclamation of land offered a tangible way to renounce the previous regime. If the land could be returned this would go part way to acknowledging the wrongs committed during collectivisation and perhaps, in a wider context, the injustices that had been experienced under the Communist regime. Those provisions of Law 18 that threatened the 1990 settlement were neutralised or simply avoided. The provisions that appeared to promote some kind of socialist redistribution of land towards the landless and smallholders, for example, were simply ignored.

The lack of transparency during the land reforms in Mirsid worked towards the benefit of many of the villagers. The majority of those who claimed their former land back received it, and within the original boundaries. Yet, it would also be fair to say that this protection of decisions from external supervision and scrutiny allowed a certain amount of 'unjust enrichment' to take place. Some people who claimed that their request for land had not been treated fairly said that they simply gave up in the

⁹⁶ Interview with Maria Zah. Agricultural engineer of the County Land Commission, Zalau, May, 1997

⁹⁷ *Ibid.*

⁹⁸ Roman, who only worked on an occasional basis for the CAP, complained that the engineers did not even know at what depth to seed carrots. He also claimed that he was responsible for educating the CAP officials on how certain

end. They had been to the mayor, to the Land Commission, in some cases even to the Prefect himself, yet nothing had been done. The fact that boundaries were still contested in 1997, and that owners were still waiting for full recognition of their claims, meant that the process of reconstructing official knowledge remains an ongoing process.

Chapter Nine: The Land Question in Plaiesti

1. Introduction

Plaiesti¹ or Kovend as it is known in Hungarian, is a village of approximately 600 people in the central part of southern Transylvania, near the old Roman city of Turda. The majority of its population are of Hungarian ethnic origin,² while the remainder, as recorded in the most recent census, are Romanian.³ At first sight, it appears much the same as any village in that region. Its roads are pitted and more used by horses and carts than by cars. There is a large Church in the centre of the village, flanked by a cultural house⁴ and a house for the local Unitarian Priest.⁵ In contrast to Mirsid, though, Plaiesti has a centre. There is a war memorial and benches on the buildings which face the square. The bus to Turda stops here and, in the afternoon, villagers will stop to talk. Again, in contrast to Mirsid, there are more visible signs of what the village was like before the Communists.

Largely because of the efforts of two priests, Plaiesti and neighbouring Cheia had a strong co-operative movement. At its height, each village had its own mill, bakery and butchers, while the co-operative shops in nearby Turda sold the peasants' produce. There were youth and womens' associations and even an American-style bowling alley which drew peasants from all over the region, to compete in ten pin bowling leagues. Older villagers recall how Plaiesti attracted visitors from all over the country, even some foreign visitors.⁶

This rural history stands in contrast to the typical portraits painted of peasant life in inter-war eastern Europe. Writers such as Doreen Warriner and Hugh Seton-Watson⁷ described villages as places of wretched poverty, with inhabitants who were

¹ Pronounced Ploey-yest

² Throughout the century, the majority of the village has been Hungarian. Romanians have never made up more than 10% of the village.

³ *Recensământul populației și locintelor*. 1992. The 'established' population of Plaiesti that is excluding those who owned property in the village but now live primarily in another place, is 586. Census for the Comuna Moldovenesti. Office of the Mayor.

⁴ The *casa de cultura* is a feature of most villages and towns, normally being used for local social events.

⁵ According to the village Priest, Miklos Székely, the majority of villagers profess to being Unitarian Christians, though few of them actually go to the Church nowadays. During the Communist period he claimed that the Church was a central meeting point where villagers could talk without the fear of informants listening in.

⁶ Miklos Szasz, the former president of the collective farm, said that visitors came from Germany, Hungary and Austria amongst others.

⁷ Warriner (1939) and H. Seton-Watson (1962). See Chapter Three pp.37-47.

prone to sporadic, and usually futile, insurrections.⁸ In stark contrast, inter-war Plaiesti appears as a model of successful small-scale farming. Examining the 1990-91 reforms is an opportunity to examine how the tension between the goals of agrarian reform and property restitution were dealt with in practice.

Each of the three sections of this chapter attempts to outline the social meaning of property ownership at a different point in Plaiesti's history. For simplicity, these periods are the era before the Communist regime, second, during collectivisation and the working of the CAP, and finally, the post-Ceausescu period.

2. Pre-Communist Plaiesti

At the beginning of the century, Plaiesti appears to have had a fairly self-sufficient economy. Apart from the farmers, there were furniture makers in the village, handicraft traders, three blacksmiths, three tailors, a shoemaker and a wheelwright.⁹ There was a small agricultural co-operative, but this was limited to purchasing locally grown crops and selling them in the village shop and in nearby Turda. According to Mitrany, these small producer groups, as well as the co-operative banks, were prevalent throughout Transylvania. They were often ethically based, though their common aim was to counter the influence of the merchant over the peasants.¹⁰ In terms of the distribution of land in the village, there was a strong middle class who owned the majority of land. Largest amongst them were the Gal and the Tonka families, who owned 80 and 60 hectares respectively. Around eight other families owned farm holdings of between 10 and 20 hectares.¹¹ For those poorer peasants who leased land from the Tonkas, the rent was two-thirds of whatever produce was grown on that land; for those working Gal's land, the rent was half the harvest. The Unitarian Church was the other major landowner in the village. It owned approximately 33 hectares of land, including parts of the nearby forest. According to the local priest, both its arable and its forest land were rented out to the poorer

⁸ The other frequently cited trait of the peasantry was their capacity for endurance. Romania's agrarian situation was especially marked with this combination of fatalism and occasional uprisings, most notably the 1907 revolt which, in the space of one week, claimed the lives of over 10,000 people. As Mitrany wrote, the 'peasants toiled, and sighed their helpless sorrow in the saying 'May God never lay upon a man as much as he can bear'. Mitrany op cit. p. 81.

⁹ Archives of the Mayor's office, Moldovenesti.

¹⁰ Mitrany op cit. pp. 398-411.

¹¹ Interview with the Mayor of Moldovenesti, July 1998.

members of the congregation.¹² In the 1919-21 land reforms, around 30-40 families received small parcels of not more than one hectare. The population of Plaiesti following the Great War was 977, out of which 923 were recorded as Hungarian, 46 as Romanian and 8 as Jews. The number of households in the village was 283.¹³

3. The co-operative movement in the inter-war period

In contrast to the later Communist versions, the co-operative enterprises from the inter-war period were based upon private rather than collective land ownership.¹⁴ The chief instigators believed that many of the problems associated with limited capital ownership could be alleviated through co-operative institutions. Participation was strictly voluntary, even though it was occasionally encouraged from the pulpit. In broad terms, the activities of the 1930s co-operatives can be divided into three main areas. The first was the measures that were introduced in order to educate the members in advanced agricultural techniques. Every autumn, between 1933 and 1937, GASDAKOR¹⁵ put on short agricultural courses taught by specialists from the agricultural colleges in nearby Cluj-Napoca. According to former members, the subjects ranged from crop protection and fodder conservation to fruit growing and animal husbandry. Some of the older villagers proudly showed their photographs of their 'graduating class'. The reading room in the village was well stocked with the latest agricultural manuals and the village newspaper, *Kovendelet*, frequently ran stories concerning new developments in farming.¹⁶

A second part of the enterprise concentrated upon the problem of affordable credit. The two priests, Fikker and Balazs,¹⁷ appreciated that many peasants were unable to

¹² Information supplied by Miklos Gal, son of the largest pre-Communist landowner, Miklos Szasz ex-President and Land Commissioner in 1991-2 and the Unitarian Priest in Plaiesti.

¹³ C. Martinovici, N. Istrati. *Dictionarul Transilvaniei, Banatului si Celoralter Tinutui Alipite*. Cluj. Institut de Arte Grafice - Ardealul. 1921.

¹⁴ It was possible to speak to a number of former members of the co-operative, or failing that their sons. In particular, information relating to the activities of GASDAKOR was gathered from the newspaper *Kovendelet* together with interviews with the present village priest, with older members of the village, in particular, Imre Szasz, whose father was part of the movement, and finally, the former Chief Accountant of the CAP, the late Dezso Koncz.

¹⁵ GASDAKOR translates roughly as agricultural circle. In this chapter, I will use the more familiar English word co-operative to refer to GASDAKOR, even though many of the former participants reacted strongly to any use of the word co-operative as a description of the activities of GASDAKOR.

¹⁶ *Kovendelet* ran from 1932 to around 1936. Almost all the older villages possessed at least one copy of these papers, and in 1997, for the first time, the whole series was put together and copied.

¹⁷ Ferencs Balazs was an equally widely travelled Unitarian priest. He had visited India where he met Mahatma Gandhi. After continuing his travels to Japan and the USA, he eventually returned to his native Cheia in 1931. From the recollections of villagers he was an energetic and determined man, who introduced many different co-operative systems before Fikker. Sadly, he died in 1937, even though he was only 37 years old. His Danish born wife, Christine Fredrickson, wrote about their experiences in the book, *The Alabaster Village - Our years in Transylvania*. Skimmed House Books. Boston. No date.

improve their yields because they had little money for investment in better seeds and fertilisers.¹⁸ In terms of the use of agricultural machinery, Romania had one of the lowest levels of mechanisation in Europe. Yet, in the space of only a few years, GASDAKOR organised a system of credit which gave loans which enabled members to buy machinery that was usually far beyond their reach.

The minutes from a GASDAKOR meeting in 1934 record how it was decided to order a number of iron ploughs from Leipzig. The co-operative would buy some for itself which it would rent out to villagers. Others were bought by individual members and paid for by means of low interest instalments.¹⁹ This action is all the more remarkable when it is compared with the situation in the other case study village, Mirsid. Ioan Roman recalled how it would take years before a peasant had enough money to buy a metal plough. As far as he could remember, the only farmer who had owned one at that time was Baron Weschelenyi.²⁰ GASDAKOR used its greater purchasing power to introduce new types of seed and new breeds of livestock into the village. *Kovendelet* reported in 1935 that the co-operative received five Yorkshire female pigs, which were distributed to five members on the condition that they could keep half of the subsequent litters.

Other agricultural agencies used the co-operative in Plaiesti as a means for supporting the peasants. In the following year, *Kovendelet* reported how the Transylvanian agricultural association, EGE, donated three seeding machines to the co-operative and 2500kg of high quality seeds. Similarly, the local Deputy in the parliament in Bucharest, Gal, managed to secure 1700 lei from state funds for the purchase of agricultural machinery. The success of the co-operative also drew other commercial enterprises into the village. At the beginning of the decade GASDAKOR established a scheme for insuring the members' livestock. By 1935, a commercial insurance agency, the Minerva Insurance Company, attempted to establish itself in the village. In 1934, a private credit bank was set up to compete with GASDAKOR's credit co-operative.

¹⁸ Aside from the burden of the agricultural income taxes, many peasants were still paying for the land which they had acquired during the 1921 land reforms.

¹⁹ One of the members of the association showed me the plough that his father had bought in 1935 by this method. He had refused to give it up to the collective farm and had managed to hide it from the officials and Party workers who would sometimes search premises for undeclared tools. Even though it was over 50 years old, on his return to private farming in 1990, he started to use it again. Interview with Mr Nagyodon, Plaiesti, July 1997.

²⁰ Interview with Ioan Roman, Railway Inspector, CAP member and elected to the Mirsid Land Commission in 1990.

The third element of Plaiesti's co-operatives was their creation of a local outlet for the sale of peasant produce. One of the priest's first actions was to organise a local shop for selling milk and dairy products. With the support of the regional development association, *Aranyosizek Videkfejlepto Ezovetkejet* (A.V.E.), Fikker managed to attract 30 families to GASDAKOR. For the first three years of its existence, the parish house was the co-operative's shop. It was open to non-members, though it charged them 2% of the value of their milk as commission.²¹ As the co-operative grew, so too did the range of produce sold.

At some point in the mid 1930s, GASDAKOR raised enough funds to buy equipment for making butter and cream. By 1935, members were supplying dairy products to the co-operative shops in Turda. About the same time, a mill, a butcher's shop and a bakery were built in the village, all of which belonged to the co-operative. It proved so successful that, by 1934, the committee accounts recorded that it was worth almost 300,000 lei.²²

4. Land boundaries and inheritance

As in Mirsid, inheritance customs concerning land reflected the division of labour in the household. If one of the sons or daughters looked after their parents in their old age, they usually received more land than their siblings, and often were granted the family house. It was common for daughters to be given some land when they got married and, in most cases this remained the wife's personal property.²³

The main official method for recording individual property rights was the Land Register, *Cartea Funciar*. Unusually, and reflecting the village's one-time status as the administrative centre of the *comuna*, there was a notary in the village who was able to record any changes in boundaries or owners. Although he owned land and a house in Plaiesti, Gal preferred to live in Turda. Before the Second World War, he often sent his son to look after his farm in the village. The younger Gal recalled how his and his father's support was constantly sought to settle land disputes amongst the villagers. These ranged from 'shifting boundaries' to familial disputes concerning

²¹ Papers held in the town hall of Moldovenesti relating to GASDAKOR.

²² Ibid. This gave them a capital wealth on par with the Weschelenyi family, with their great estate which covered hundreds of hectares of arable land and thousands of hectares of forest. See Chapter Eight p.139.

²³ When I asked individuals to say how much their parents had owned, invariably, the amounts was divided between what the mother and the father owned. Sometimes the division of land would follow certain patterns, with the mother using her land to give to her daughter on the occasion of her marriage, whilst the father's land would be saved and

the correct distribution of land following the death of the head of a family. Fikker interceded in many of these questions and others who rented land from Gal, sought his counsel. Many of these were decided without reference to the register, though there were those who threatened to take the matter to court. Gal recalled how his father's advice to him was always to steer clear of land disputes.

5. Collectivisation in Plaiesti

The inter-war co-operatives were a mixture of ethnic solidarity and self-help. While they aimed to transform the infrastructure of their local economy, they always remained within the boundaries of private land ownership. Despite this fact, poorer villagers did benefit indirectly from the activities of the co-operatives - the easier availability of cheap, good quality goods and the relatively unique social facilities. By the time the Communist Party was dominant, the co-operative was a spent force. Both priests were gone, and with them the organisation gradually wound down. As described in Chapter Five, in many ways, the Communist rural programme aimed to build upon the success of these medium sized farmers - the *mijloaci*. It tried to enlist the latter as the 'natural partner' of the urban working class. Yet, as described earlier, the economic basis for the collective farms was often subordinated to political and ideological goals in practice.

Collectivisation was completed in Plaiesti much earlier than in other parts of the country. The first socialist farm was an *Intovarasire* (TOV) which was formed with 71 members in 1951.²⁴ It was situated near the centre of the village, and almost all the original members were *saraci*, i.e. farmers owning less than two hectares of land. The TOV was granted additional land from state reserves and, in order to consolidate its holding, a series of land exchanges were concluded with those whose land bordered the new farm. Tonka and Gal were the first village landowners to have their land expropriated.²⁵ Gal recalled how the priest Bila, warned his father that the authorities were planning to arrest him. With his family, Gal left the same night. On

only distributed in old age. Various interviews in Plaiesti. For more on inheritance patterns, this time in the south of the country, see Kideckel (1993) op cit p. 35.

²⁴ Information collected from the archives of the town hall and from the first accountant of the CAP Konczs, Dezko. For more on the structure of background to TOVs see Chapter Five pp.

²⁵ Most likely under the authority of Decree 183 introduced in March 1949 to liquidate the remainder of the *mosieri*. See Chapter Five p.75 for more on this law.

the following day, the militia arrived to expropriate his house and all the belongings he'd left behind.²⁶

The Unitarian Church, which had played such a critical role in the formation of GASDAKOR, lost its land in 1950. The priest was allowed to retain no more land than what he could work himself, while the rest was donated to the state.

The old social order was quickly reversed. Gal's house became the offices and living quarters of the TOV's agricultural engineer. The Nagyodon family who, owing to their 20 hectares of land, were labelled *chaiburi*, were forced to leave their home in order that the popular council would have a place to meet.

In addition to central buildings and high quality land, the TOV was granted exemption from taxes for its first five years. It was able to hire agricultural machinery and drivers from the Machine Tractor Stations in nearby Mihai Viteazul. Additional technical support came from the agricultural engineers sent from Turda. Despite these advantages, older villagers remember the TOV struggling in its first few years. In its second year, the number of members actually fell from 81 to 72. It was not until its third year of operation that membership increased significantly, rising to 200 at the end of the year.²⁷

5.1. Socialist legality: testing the TOV's constitution

The actual day to day organisation of the farm was heavily influenced by both local and national politics. In the selection of members for key farm positions for example, a member's social background and political affinity were just as important as his farming or administrative skills. For farmers who had been accustomed to working independently, one of the hardest parts of working in the TOV was the fact that they had to take orders from brigade leaders whom they regarded, at best, as inexperienced.²⁸

In 1953 between 30 and 40 families had attempted to withdraw their land from the TOV as they were theoretically entitled to. Though the precise circumstances were

²⁶ Interview with Miklos Gal, Turda, August 1997.

²⁷ Register of Farm Members of the Collective Farm Petofi Sandor, Comuna Plaiesti, Turda, Cluj, Agricultural Archives, Office of the Mayor, Moldovenesti.

difficult to discover, amongst those interviewed, the overwhelming reason for wanting to leave was their refusal to be ordered around by people whom they had previously hired as day labourers.

The former chief accountant of the CAP explained that many of those who left were peasants with large farms who, prior to joining to the TOV, had run their own farms. They had joined the collective farm because of the continual pressure from Party activists, and partly because they were assured that they rewarded with higher yields and less hard labour.²⁹ However, once members, they enjoyed an ambivalent position, several complained that they were constantly watched and, at least in their first year, the *mijloaci* were barred from assuming any positions of authority.

Under the governing statute of the farm, any member could withdraw his land so long as he gave a season's notice.³⁰ If a member chose to leave, he would not receive his original land but land of equivalent size at the margins of the TOV, or from other state reserves. In practice, those who expressed a wish to leave the farm found that they first were placed under even closer surveillance. In an attempt to dissuade the doubters, Party activists and engineers paid house visits, while those who appeared to be the 'leaders' of the faction were singled out for intensive '*munca de lamurire*'.³¹ By trying to withdraw from the TOV, the *mijloaci* demonstrated how they were operating within a disintegrating social system. For them, land ownership was the primary source of a man's independence.

Despite the example it set to others, the General Assembly of the TOV allowed the 40 families to leave the TOV. In exchange for their original land, each peasant received a plot from the state reserves. Not only was this generally of inferior quality, more importantly, it was a long way from the village. Some plots were over 22 kilometres away on the other side of Cheia. Even with these conditions some families actually worked their land. The Nagyodon family planted seed on the land which they thought was theirs, for there were no official papers to indicate the precise location of their new plots. For six years they worked that land as private

²⁸ When peasants spoke about these leaders, it was usually couched in terms of the amount of schooling that the person had had, so phrases like 'he only managed to reach class 4' were used to denote the stunted school career of the brigadiers and team leaders.

²⁹ Boloni recalled how the activists told them that if they were unhappy working in the TOV, they could always withdraw. Interview with Vilmos Boloni, former CAP member, Plaiesti, September 1997.

³⁰ See Chapter Five p.86.

farmers. Others who had been assigned plots were not so lucky. Their crops were stolen, some of the younger members of the families who tried to work the land were driven off by villagers from Cheia who claimed to be the real owners of the land. By 1954, almost all the families who had left the TOV had returned.

5.2. Dislodging the *chaiburi*: Class war in the village

Party activists made visits to the village throughout the 1950s, trying to persuade the poorer and medium sized farmers to sign up to the TOV. For those peasants who were named as *chaiburi*, the relations with the authorities were characterised by hostility and harassment. Compulsory quotas were set, in some cases, at higher levels than the actual harvests. There were also other reports of beatings orchestrated by the Party.³² The homes of the *chaiburi* were regularly searched for concealed harvests. For these peasants, the local economic plans were enforced to the letter. One old woman remembered how her father was imprisoned for one year and part of his land confiscated for failing to declare the exact size of his harvest.³³ The former accountant Konczs recalled how, in the early 1950s, the same people his father had employed before the war would stand outside their house and shout anti-*chiaburi* slogans on their way home from the fields.³⁴ Until 1957, *chiaburi* were excluded from joining the collective farm, even though there were those, such as Nagyodon, who actually wanted to join. Once they were allowed to join, they were allocated the more difficult and menial jobs. Nagyodon, for example, worked for thirty years in the stables, milking the cows and transporting manure around the farm. Kideckel has described how the new state imposed order was not accepted passively.³⁵ Aside from the instances of individuals hiding their agricultural tools, many villagers were unwilling to denounce those who had formerly been wealthy. The Party's awareness of this lack of support is demonstrated by the fact that the 'unmasking' of the *chaiburi* and their offences, was done by a regional rather than a local committee.

³¹ This literally translated as 'explanation work' and, as described earlier, it was a euphemism for all kinds of abuses. See Chapter Five pp.74-77.

³² Various interviews - Boloni, Gal and Margarita Nagy Plaiesti, September 1997.

³³ Interview with Margarita Nagy.

³⁴ Interview with Josef Konczs, Land Commission member and former CAP member, Plaiesti, August 1997.

³⁵ Kideckel (1993) op cit. pp.83-86.

5.3. Socialist farming in Plaiesti: development and decline

In 1956 the last remaining element of the inter-war co-operative was formally absorbed into the TOV. Eventually, the TOV was transformed into the higher form of socialist ownership, the *Co-operativa Agricol de Productia* or CAP. The practical consequence of this was that peasants were forced to relinquish those portions of their land that they had continued to work privately. Later in the decade, the CAP was merged into a larger administrative unit by combining it with the CAPs from neighbouring Badeni, Mihai Viteazul, Cornesti and Stirgiresi.

In terms of production, socialist agriculture was devoted mainly towards cereals and vegetables. Unlike in Mirsid, the land around Plaiesti is flat and well suited to mechanised farming. Many of the members recalled that, at least in its early days, the farm was well supplied with tractors and machinery from the SMA in Mihai Viteazul, and the earnings from the farm were adequate.³⁶ In the beginning the taxes on the farm were low and it was not forced to sell all of its produce to the state. By the end of the 1960s, though, according to the majority of the CAP members interviewed, the farm had become a difficult and unrewarding place to work. Not only did the amount of work increase, but the likelihood of being paid decreased. Thefts from the stables and from the fields were common, and were possibly even tolerated by some of the local CAP officials. As more and more resources were diverted to supporting the development of national industry and, later on in the 1980s, to meeting payments of the foreign debt, the extent of central control over production increased.³⁷

The pressure to reach production targets had many knock-on effects, mostly negative. The drift away from the CAP increased as more CAP members took on extra work in factories, often working the morning shift in the Turda cement works or in the beer factory only to return in the afternoon to the co-operative to work to fulfil their allotted norms.³⁸ Each member was expected to complete all his allotted 'norms' in order to qualify for a personal plot, which was usually around 30 ari.

³⁶ Interview with Miklos Szasz.

³⁷ See Chapter Six pp.99-100.

³⁸ Interview with Endre Mate ex-CAP and cement factory worker, Plaiesti, August 1997.

The circumstances of the Geysler family illustrate how an individual household reacted to the pressure of the CAP.³⁹ During the 1980s, this family of four lived on what they grew in their garden and on what the two adults earned in the local factory. They worked just enough for the CAP so as to keep their personal plots. If they did not fulfil their allotted quota then, the following year, they were given less land to work privately. For Mrs Geysler it was often impossible to meet her allotted norms, and her husband would have to make up the shortfall. For those without such support, labourers were hired, or a doctor's note sought confirming their unfitness for full duties.⁴⁰

As in Mirsid, the CAP officials used the distribution of the personal plots as a means to impose discipline on the workforce. In the 1980s, there were several occasions when a family lost all or part of what was grown on their personal plot owing to some dispute, or falling out of favour, with the CAP engineers.

For the farm managers, the pressures created by the plan and the attention of the Party officials, had their own consequences. During the 1980s, one President committed suicide whilst another became an alcoholic.⁴¹ The CAP President during the 1970s, Szasz Miklos, spoke wearily of how the CAP authorities were 'not allowed by the centre to respect [their] promises'. As President he was expected to ensure that the production targets were met, even if this was at the expense of the members' pay. His refusal in 1979 to obey one such instruction apparently led to his dismissal.⁴²

Even though new investments in the farm were made in the 1980s, the construction of a new milking shed for instance, the working conditions became increasingly dysfunctional. The obsessive drive to increase cereal production was at the expense of almost all of the other aspects of the farm. Those who worked in the stables spoke of animals dying of starvation because the land that had been given over to fodder crops was now used for cereal growing.⁴³ Farm officials were called repeatedly to meetings in Cluj and Turda, where desperate Party officials berated them for falling short of the production targets. According to one of the CAP officials

³⁹ Interview with Mrs Geysler and her daughter, Plaiesti, August 1997.

⁴⁰ Ibid.

⁴¹ Information from the ex-CAP accountant, the late Dezso Koncz,.

⁴² Interview with Miklos Szasz.

⁴³ Interview with Fazakas, Mate, former CAP accountant, Plaiesti, July 1997

who was present at these meetings, the officials' solutions usually involved working the peasants harder, ploughing up more of the pasture and cutting the forest back further. He believed that many of their recommendations were impossible, revealing how little they knew of either agriculture or the state of the workforce.⁴⁴

According to several of the CAP workers interviewed, the feeling in 1989 was that it was not possible for the farm to continue to operate in this way. Yet, at least until December 1989, there was little cause for hope that the necessary reforms would be made.

6. 'You cannot change the world again' Restitution and agricultural reform in 1990

Events in Plaiesti, in December 1989, reflected those in many villages in Romania at that time. Initial confusion and disbelief over whether Ceausescu really had fallen, was replaced by an increasing confidence. In late December, the first direct attacks on the local Party and state machinery began. In the centre of the village, the Party Secretary's windows were smashed by a crowd and some looting and burning of papers took place at the CAP offices. More dramatically, in the capital of the *comuna* Moldovenesti, the Mayor was physically evicted by a man who claimed that he was now assuming authority.⁴⁵

The 'revolution' in Plaiesti unified villagers against common enemies such as individual Communist Party and CAP officials. Soon after, though, this unity began to dissolve as it became clear the revolution meant very different things to different villagers. Six years on, the divisions over questions of compensation, property restitution and agricultural reform still coloured social relations in the village. This section outline the most significant attitudes towards the land question in 1990. The formation of distinct interest groups had a great influence on the implementation of Law 18/1991. Former landowners were only one group in the village and, on their own, they were not powerful enough to determine the fate of the CAP. It is worth examining the composition and position of these different interest groups in 1990 and 1991.

⁴⁴ Ibid.

⁴⁵ In elections that took place in February of that year, he was voted mayor, a position he has managed to retain until now.

As argued in Chapter Seven, in a number of important respects, Law 18/1991 gave the local Land Commission the ability to shape the direction and the future viability of the village economy. Kideckel makes the point that, in the transition from state socialism, the social processes involved in such decision-making are as instructive as their outcomes.⁴⁶ The processes involved draw attention to the changes at the everyday level, the development of alternative ways of solving disputes and popular attitudes towards local authorities for instance. Examining the actions of particular individuals and their attitudes towards the reforms of the CAP also raises wider questions, such as the nature of local participation in creating the rule of law in Romania. Finally, an examination of the implementation of the law reveals some of the more lasting effects of state socialism.

6.1. Spontaneous land reforms in the last year of the CAP

As in Mirsid, the first 'leaders' and 'organisers' to emerge after December 1989 were men who had previously held positions of authority. The main reason why the president of the CAP and the agricultural engineers retained their old authority was because no-one sought to remove them. When villagers recall the first meetings held to discuss the fate of the CAP, they remember how it was the President of the CAP and the engineers who 'chaired' them.

The majority of villagers attended these first meetings, including many of those who had left the village for Turda. Some peasants estimated that around 200 people crammed into the village's cultural house. In January 1990, the backdrop to these discussions was Illiescu's vague New Year's day promise that the collective farm system would be reformed.⁴⁷

During 1990, the fate of the CAP divided the village. In these early days, it is possible to see how different experiences of life under Communism divided the villagers. Different groups displayed distinct attitudes regarding the moral basis of property ownership. Inevitably, these divisions did not disappear with the 'completion' of the reforms.

⁴⁶ David A. Kideckel 'Two Incidents on the Plains in Southern Transylvania: Pitfalls of Privatisation in a Romanian Community' in David A. Kideckel (ed.) *East European Communities - The Struggle for Balance in Turbulent Times*. Westview Press. Boulder. 1995.

The first effective decision of the cultural house meetings sought to re-create the village as an independent body. After collectivisation, reforms had amalgamated farms into ever larger administrative units and, within this regime, each village was assigned its own function. For Plaiesti, this meant that its farming lands were devoted to vegetable growing, whilst cereal production was concentrated on the land of Mihai Viteazul. Each of the CAP Presidents and agricultural engineers from Mihai Viteazul, Badeni, Stirgerisi and Plaiesti met in 1990 to effect an amicable dissolution of the CAP. According to three of those from Plaiesti who took part in the deliberations, this was achieved relatively easily using old maps from the *Cartea Funciar*.⁴⁸

A second decision was that land which had been taken in 1980 for the construction of a livestock farm on the boundaries of Badeni, Mihai Viteazul and Plaiesti, should be returned to the respective villages. For the Director of the livestock farm, Babybeef, the return of this land was both inevitable and fair, even though it threatened to destroy the meat farm. Although the Director, Babaoana, acted without any firm guarantees, he appears to have been confident that his farm would be able to enter into leasing agreements with at least one of the villages.⁴⁹

The actual ability of the village to become its own master was soon challenged. The CAP leaders from Plaiesti, Mihai Viteazul and Badeni along with certain other village 'representatives', attempted to settle some old land disputes. Earlier divisions of a 50 hectare plot between Plaiesti and Mihai Viteazul were reputed to be the cause of so many conflicts between villagers that the area was known locally as the 'Valley of Blood'. The ad hoc land committees agreed that Plaiesti would divest itself of its part of the contested plot in return for an equivalent plot owned by villagers from Mihai Viteazul in a location closer to the centre of Plaiesti, a place called the 'Long of Kovend'.

The problem was that the Long of Kovend was already occupied by peasants from another village. In a separate dispute with the Mayor of Moldovenesti, the villagers of Cornesti had occupied land in the Long of Kovend, including the land which had

⁴⁷ Given in the New Years Day address to the nation. See Chapter Seven pp.109-111 for more details.

⁴⁸ Interviews with Miklos Szasz and Egei Mate in Plaiesti, August 1997. Interview with Imre Crisan, President of the Agricultural Association in Badeni and member of the 1990-91 Land Commission.

previously been used by the villagers from Mihai Viteazul and Plaiesti. In order to effect a temporary solution, the Mayor provided the unfortunate villagers from Plaiesti with land from the reserves of the *comuna*. The problem with the land, though, was its location, which around five kilometres away from the centre of the village, effectively defeated the whole aim of the original agreement. This dispute dragged on until 1997, even though the original agreement had been witnessed and registered in front of a notariat in Turda in 1990.⁵⁰

6.2. Pre-judging the law: popular attitudes towards reform in 1990

For individual villagers, Decree 42/1990 went some way towards alleviating the frustration which was felt at the slow pace of change.⁵¹ From the land of the CAP, 50 ari was allocated to every villager who sought extra land. The application of this decree revealed both official and popular expectations concerning the ultimate fate of the CAP. The Mayor of Moldovenesti recalled how he tried to ensure that those who had not brought any land to the CAP were issued with 50 ari each. The others, he knew, 'had land coming to them'.

In relation to the non-land assets of the farm, the principal objective of the villagers was to be given the same amount of animals that they had first brought to the farm. Prior to the Communists, livestock rearing was a significant element in the village economy. GASDAKOR, for example, had introduced new breeds into the village, arranged courses in animal husbandry and organised the first animal insurance schemes. Some of the wealthier villagers entered the CAP with large numbers of animals. Vilmos Boloni's father, for example, who had been a member of GASDAKOR, brought 5 horses, 2 oxen and 2 cows into the original TOV.⁵² For the CAP, however, livestock play little part in its operations, especially after the construction of the meat farm, Babybeef, in 1980. The result was that when the

⁴⁹ Interview with Dumitru Babaoana, Director of S. C. Carind S. A., Mihai Viteazul, Turda.

⁵⁰ A later example of some of the difficulties faced by the village in its attempt to resurrect itself as an independent actor occurred in 1996, when a Belgian company attempted to contract with a group of villagers to grow high yielding and high protein lucerne on some of the best lands of the village. The agreement stood to be extremely profitable for both parties. The plan was that the Belgian company would send the necessary capital to purchase the seeds at the beginning of the year. Its error though was to rely on the regular system of banking and state bureaucracy to effect the transfer of funds. Whilst the villagers waited, the various banks and agricultural departments involved took more and more commissions and time to process the contract. Although those involved from Plaiesti petitioned the relevant authorities, the money was not received until July-August that year. By this time, not only was it too late to plant lucerne, but the amount of money left was not enough even to purchase the cheapest seeds. Only a small portion was eventually planted and in September, the Belgian company pulled out.

⁵¹ See Chapter Seven pp.111-113.

⁵² Interview with Vilmos Boloni, former CAP member, Plaiesti, August 1997.

division of assets of the CAP began, there were simply insufficient numbers of animals of comparable quality to meet everyone's claims. Though the principle of prior ownership was paramount, very few people actually received the equivalent of what they had previously owned. Instead, most of the animals distributed were sickly or in no condition to perform arduous physical work.⁵³

In relation to the CAP itself, those advocating reform of the CAP included several of the former Presidents, officials, brigade leaders and engineers. They were joined by some of those who worked for the CAP yet brought with them little or no land. As the reformers' plan was to increase levels of pay and to rent land from villagers, the proposal attracted certain of those who lived away from the village, as well as those villagers who acknowledged that they were too old to restart private farming.

On the opposite side were the abolitionists. These villagers proposed the complete dismantling of the CAP and the return of all its lands to the former owners. They argued that the only people who had any 'right' to decide how the CAP should be reformed were those who had originally contributed land, tools and animals.⁵⁴

Members of this group did concede that surplus land could be given to those who had previously owned none, but this should not detract from the primary task which was to restore the previous owners to their rightful position.

It may well have been that some of these villagers were not averse to collective working of the land, particularly those with little capital to invest in machinery or seeds. However, according to several villagers, some former owners were 'louder' than others. They sought to convince the doubters that the reforms would simply result in another CAP.⁵⁵ Given their experiences during collectivisation, it is not surprising that the abolitionists included almost all of the former medium sized and larger landowners. They also included those who had quit both the CAP and the village. Many of those who left had done so because of worsening working conditions in the CAP and the lack of regular wages.⁵⁶ A more comfortable life could be obtained by living and working in the town. The abolition of the CAP and the restoration of land offered them one foot in the village and one in the town. Then

⁵³ Attested by Boloni, Szasz, Mate and Nagyodon. Plaiesti, August and September 1997

⁵⁴ This was the position of Pal Nagy, Vilmos Boloni, Magarita Nagy and Commissioner Egei, all of whom owned above 5 hectares of land before collectivisation.

⁵⁵ According to one of the members of the Land Commission (Szasz), the failure of the plans to reform the CAP owed a lot to the promises and presents given by some of the richer landowners to the medium and smallholders.

⁵⁶ Endre Mate left the farm in the beginning of the 1980s to work in Turda, although he did return regularly to help his parents farm their small allotment.

there were those still living in the village, who may not have owned substantial amounts of land but for whom leaving the CAP offered a chance for greater independence and freedom from the authorities.⁵⁷

Whilst discussions over reforms took place, certain villagers sought to take advantage of the lack of clear authority, and started, literally, to dismantle the farm. Materials were taken from many of the buildings, including the new dairy. Tiles, window frames, bricks, even doors disappeared in the night.⁵⁸ There was little that could be done about this. One of the CAP engineers who attempted to halt these acts was accused of wanting the materials for himself. Those who argued that it would be better to wait before completely demolishing the farm were accused of trying to protect their own positions.

The main reason why the CAP was eventually dismantled was the level of suspicion which was directed at the reformers. This overcame objections which were based on the age of the new private farmers, their lack of money and machinery and the difficult economic circumstances of the country. As it turned out, many of the predictions of the reformers - that land would be left unworked, that crop yields would fall and diversity would be lost - were proved correct in the following years. From the outside, the decision to dismantle the farm and return to private strip farming appears, at best, short-sighted. In order to offer some explanation for the attitudes which led to this outcome, it is necessary to bear in mind the nature of daily life under Romanian Communism. Sampson, who worked in villages throughout the 1970s and 1980s, describes social relations as being characterised by 'dissimulation, conspiracy and drama, where:

there were no mere coincidences; rather there was always some kind of plot, and in the absence of reliable information (or verification) , all plots, even the most outlandish, were plausible.⁵⁹

The interpretation of public actions was based on a belief that 'one's public demeanour said nothing about one's private thoughts, beliefs or alliances'. In such a

⁵⁷ Interview with Sandor Nagy, former CAP worker and village blacksmith, Plaiesti, August 1997.

⁵⁸ Mate, Szasz and the Accountant spoke of this.

⁵⁹ Steven Sampson 'All is possible, nothing is certain: The horizons of transition in a Romanian village' in Kideckel (ed.) op cit. p.162. Another more well known account of the distortion of social relations under totalitarianism is Czeslaw Milosz in *The Captive Mind*. New York. Vintage. 1952

world, 'sincerity was viewed suspiciously' and even amongst neighbours and friends, the 'assumption was that public behaviour masks private projects'.⁶⁰

This accounts, in part, for local attitudes towards the reform of the collective farm. In the interim period, though, before the final 'definitive' dismantling of the CAP, the farm continued to function. The most important change was that the system of 'norms' was scrapped and those who worked were given 30% of the harvest that came from the particular plots which they had worked. An arrangement was made with the privatised Machine Tractor Station from nearby Badeni to hire five tractors to plough the fields, though in time the number of tractors actually needed fell to three.⁶¹ According to former collective farm officials, around half of the previous members and workers stayed on with the CAP.⁶² The others either worked solely in the factories, or sustained themselves by farming their personal plots.

6.3. Alternatives to natural restitution

By autumn 1990, it was clear that the CAP was going to be dismantled.⁶³ Although discussions over possible reforms continued, their substance was more to do with when rather than if. At the same time though, there was growing dissatisfaction with the progress of the changes. Villagers spoke of falling attendance at Cultural House meetings, and of deals being made by small groups. It was alleged that the meetings were dominated by the previous big landowners or, from other sources, that the meetings were dominated by ex-CAP officials trying to hold onto their power. For one villager, who had never owned land, attending the meetings was futile:

the rich wanted the farm dismantled so they could get their land back and the poor were not listened to, even if they had something to say.⁶⁴

One proposal that did prove acceptable was the division of all the CAP fields into six large fields. This was a prelude to the future parcelling of the land but still allowed for the possibility of large scale mechanised working. The new fields took into

⁶⁰ Ibid.

⁶¹ Interview with Miklos Szasz, Plaiesti September 1997

⁶² Ibid.

⁶³ The ad hoc Land Commission that met to discuss the future of the farm was drawing up maps in autumn of where old plots and holdings could be positioned. This was made up of members of the CAP governing committee, former landowners and occasionally, representatives from the town hall.

⁶⁴ Interview with Sandor Nagy, Plaiesti, October 1997.

account the irrigation ditch constructed in the 1970s which effectively crossed the old boundaries.

At the same time, around autumn 1990, some of the old CAP officials attempted to introduce another method of dividing the land. They suggested that rather than return to the former owners the exact parcels of land which they had owned before, distribution should be based principally on the quality of the land. As 70% of the land was assessed as Grade A, i.e. top quality land, the plan was that everyone's parcels, regardless of size, should be made up of 70% of Grade A land, 20% of Grade B land which though not as fertile was sufficient to sustain some crops, and finally 10% of the land that was difficult to cultivate and would probably only serve as land fit for the production of fodder.

Their proposal would have restored former owners with the amount of land they had previously owned, yet they insisted that distribution should take into account the needs of former CAP workers and those whose parents had not brought any land to the farm. It is significant that of the two informants who claimed that they were responsible for the proposal, one was a former landless CAP member and the other was the ex-CAP President, Szasz.⁶⁵

This plan also complemented proposals to place all those planning to rent their land in one area, whilst placing the private farmers in another. In the end, neither plan was implemented. For Szasz, the plan failed because the big landowners were only concerned with the restitution of their property; anything else was interpreted as a smokescreen to maintain collectivist planning. The 70:20:10 plan, for instance, smacked of social engineering, once again, employing 'their' property to achieve some notional public good. It would complicate their reclaiming of their property rights and unjustly enrich those whom to Providence had granted poor land.⁶⁶

In autumn 1990, a drummer walked through the streets of Plaiesti calling the villagers to a meeting in the Cultural House at which the Land Commission was elected. Those who participated in this meeting give very different accounts of the

⁶⁵ Interviews with Szasz and Sandor Kis, Plaiesti, August and September 1997.

⁶⁶ Not everyone was aware of the 7:2:1 plan. Pal Nagy, owner of 12 hectares of land, said that he had not heard of the plan, but if he had he would have rejected it. For him, it was obviously an attempt by those with poor land to acquire at least some of the better land. Like others who rejected its principle, Nagy had a fatalistic perspective in

election of this body. Those who were elected said that they were chosen because of their standing in the village, their knowledge of farming and agriculture, or simply the fact that they remembered where the old boundaries were. Some of the Commissioners said that they were reluctant to get involved in the land division. One, whose family had been labelled *chaiburi*, said he was afraid that it would bring trouble for him in the village, and possibly 'with the law'.⁶⁷ In the final months of 1990 and in the spring preparations were made for the eventual dismantling of the collective farm and for the redistribution of its land.

One of the chief problems throughout the country was the means by which prior ownership was proved. According to five of the Land Commission's members,⁶⁸ and almost every other villager asked, the majority wanted restoration of the old boundaries. Yet many of the documents which recorded these boundaries were either missing or inaccessible.

Article 10 of Law 18/1991 specified four principal ways in which someone could establish their property rights over land which they had previously owned. First, using documents such as the original title deeds, a contract of sale, an inheritance certificate, a contract of land exchange or an extract from *Cartea Funciar* were accepted as proof. The latter was only available from the Land Registry, and to receive the relevant papers, it was necessary to supply the topographical number of the plot. Failing that, a claimant could give the approximate position of the plot and the names of the owners of the neighbouring strips.

In practice, very few villagers actually obtained copies of *Cartea Funciar*. The Land Registry office in Turda was overwhelmed with claims in the months following the publication of Law 18, and each claim took longer if the topographical numbers or the names of their former neighbours were not supplied. This was frequently the case where the claimants were claiming the land that had belonged to their parents.

relation to the pre-Communist division of land. He did have land which was far away from the centre of the village and was not that fertile, yet that was his misfortune. He expected nothing from the Commission save what was his.

⁶⁷ Interview with Josef Koncz, Land Commissioner, Plaiesti, July 1997.

⁶⁸ It was not possible to interview all the members of the Land Commission. Some came from outside the village, like the engineer sent from the Agricultural section of the Council in Cluj, one had died and others had since left agriculture altogether and did not wish to 'return' to the subject.

In addition to these difficulties, there was the mysterious disappearance of all files relating to the period 1945-46.⁶⁹

The second way in which the law allowed an owner to prove his or her ownership rights was by using the Agricultural Register. The local authorities compiled this on the basis of declarations made by each householder in the village. It recorded the total amount of land held and classified each parcel owned according to the use to which it was put. Again, there were practical problems with this evidence. First, it did not specify the location of plots, and secondly, owing to the large number of secret or undeclared sales and exchanges of land that took place in the 1950s, it by no means reflected the correct amount of land which an individual owned. Finally, the registers compiled in the early 1950s recorded only the small amount of land villagers had retained in their possession. For those who had joined the TOV, the amount of land which they had brought in with them was unrecorded in the Agricultural Register.⁷⁰

The third way of proving entitlement was by using the original applications of members when joining the CAP. This promised to be a reliable method because of the severe penalties which had been in place for anyone joining the CAP without bringing in all the land which they owned. These papers were held in the office of the Mayor and were delivered to each of the five Land Commissions in the *comuna*. Unfortunately, at some point, the papers delivered to the Land Commission in Plaiesti disappeared. As far as the Mayor was concerned the responsibility for the loss of these documents lay with the Land Commissioners. He believed that once the Commissioners had found out the information they wanted - the amount and position of the land that they and their friends had previously owned - they burnt the papers.⁷¹

The consequence of these different deficiencies was that the final form of proof allowed by the law, the evidence of witnesses, was probably the commonest form of

⁶⁹ The old lawyer, Miklos Gal, found it hard to believe that parts of *Cartea Funciar*, which had survived the bombings of the Second World War, simply disappeared. Others spoke of the possibility of bribing certain officials in order to obtain amended extracts of the Register. The Mayor of Moldovenesti believed that the Land Register Office, in general, held on to far too many files to be of much assistance in the land division process.

⁷⁰ As explained by the Mayor of Moldovenesti, Szasz from the Land Commission and the Commission's agricultural engineer Marginean Crucita.

⁷¹ It was not possible to cross check this with the other Commissioners. Each of them had already been interviewed on a number of occasions and making further investigations concerning the mayor's allegations would have been to question their integrity and to imply that their previous accounts of their decision making were now suspect. In addition to these difficulties, there was also the practical problem that the information was given by the Mayor on the

proof actually used. A claimant began his or her claim at the Mayor's office. If the mayor accepted that there was a *prima facie* claim he issued an *adeverinta* (certificate) specifying the amount of land claimed. If the claimant had no papers with which to prove title, it was usual to appear in front of the Land Commission with two witnesses, usually their neighbours who attested to the truthfulness of the claim.

According to one of the Commissioners, only about one quarter of all claimants knew the precise location or size of their former plots.⁷² The rest relied upon their neighbours, the mayor and, as the final arbiters, the Land Commission. The Mayor recalled how villagers from the *comuna* claimed ownership of one hectare, only to admit, upon challenge, that perhaps it had only been half a hectare and, finally, to leave with an *adeverinta* for one quarter of a hectare.

Cases of 'exaggerations' and 'forgetfulness' were reported by the Land Commission. Commissioner Egei said that he knew a great deal of buying and selling had taken place in the 1950s, and yet claimants regularly tried to deny that they or their parents had ever sold some or all of their land. On more than one occasion, the Commission received claims from both the 'original buyer' and the 'original seller' for the same piece of land. If the Commissioners were unable to decide amongst themselves on questions of fact they consulted some of the older villagers.

Although taken as a whole, this process appears to represent the collective attempt to reconstruct the village's old boundaries, in practice, certain villagers' memories were privileged and ignored others. Those who were voted onto the Commission were farmers who had previously owned large amounts of land before. One Commissioner claimed that he could remember almost every parcel in the village, its size, who had owned it and who had owned the adjoining plots.⁷³ Before collectivisation, each landowner owned around four to five separate parcels of land. As there were over 200 households in the village, this meant that approximately 700 hectares of arable land had been split into almost 1000 different strips, of various sizes, making the claim to know the location these plots a little suspect. Some land transactions would not be apparent merely from walking through the fields (this was the way in which the Konczs claimed to have accumulated his

last day of fieldwork. As a result the allegation regarding the burning of the original CAP membership application is simply reported as that.

⁷² Interview with Egei Mate, member of the Land Commission, Plaiesti, August 1997.

knowledge). The Communist take-over exacerbated these problems by making it advantageous for the villagers to keep any of sale or exchange of land secret.

Given the difficulties posed in reconstructing exactly where the old boundaries were, the Commission's methods for sorting land claims are more than simply efforts to uncover the truth. They also represent how the Commission wanted to remember the past, as a time, for instance, in which everyone knew where their land was and who their neighbours were. Some people's memories were faulty, and there were others who tried to use the occasion to acquire land which was not rightly theirs but, on the whole, the Commissioners were confident that the old map of village land could be recovered. Their methods also represent their view of who was entitled to take part in this process of restitution, and the precise roles which they should have. The Commission's work necessarily excluded some villagers. Law 18/1991 insisted that everyone claiming land from the CAP should bring evidence to the Commission. It was not the Commission's task to account for all the land. If, for some reason, evidence of ownership was not brought to the attention of the Commission, then it was not included in the map making.⁷⁴ Etus Bacs, for example, submitted a claim for four ari of land, believing that that was what her parents-in-law had owned. Subsequently, her neighbours told her that, in fact, they had owned 14 ari. As she did not find any witnesses to verify this claim (her parent-in-laws' neighbours had moved away) she missed the submission deadline and, as a result, the Commission based their findings on the Agricultural Register. Accordingly, she received four ari.⁷⁵

There were other reasons why the Commission might receive only limited evidence. Endre Mate's grandfather had owned 10 hectares of land in the 1950s, and yet, in the Agricultural Register, only seven were registered in his name. Mate senior had done a deal with the secretary to the Agricultural Register in order to lessen his quota burdens at some point in the 1950s. Very few people knew about this, not even those who were listed in the Register as the owners of the Mate's additional three hectares. When the time came to reclaim the original plot, Endre Mate's mother and his wife feared repercussions should their fellow villager find out what Mate senior had done. Both of them argued 'night after night' with Mate about the

⁷³ The Commissioner was Josef Koncz.

⁷⁴ Law 18/1991 did not require the Commissioners to consider the situation over land that was not claimed. If someone did not manage to get their papers together within the allotted 45 days, then the claim would most likely fail and their land become part of the Commissioners' reserves. Admittedly in Plaiesti, those late in their claims were offered land, but not where they had owned it before, but drawn from the reserves.

claim urging him to claim only what was listed in the Regsiter. His plan, on the other hand, was to obtain an extract from the *Cartea Funciar* or, failing that, the Agricultural Registers from 1945-50 which would demonstrate how his grandfather's holding had diminished by three hectares. As there were no other papers to prove that Mate senior had sold that land, Mate hoped that the Commission would accept his version of events and return all 10 hectares to him.

In fact, the Land Registry office was constantly busy and working at the cement factory in Turda, Mate did not have the time to keep returning to the office. His second problem was that the 1945-50 Agricultural Registers had disappeared. He said that when he first submitted his claim he was not aware that witnesses could be used in support. As he put it, 'in the end we received only what we could prove', seven hectares.⁷⁶

The exclusion of other non-landowning villagers from the restitution process occurred because Law 18 gave them no direct role in the division of land, and also because the Commissioners saw no reason to involve them in their work. For the landless or for the former smallholders, the new order of things was clear.⁷⁷ Once the previous landowners had taken what they considered to be theirs, the remainder could be divided amongst the landless.

After the initial evidence was taken, the next stage was to draw maps of the new fields, identifying the plots that had been claimed and their approximate location. A meeting was then called in the field itself to give every claimant the opportunity to make a public declaration of his claim. Each claimant stood near his old plots and named his old neighbours on either side. At times, this was impracticable. The neighbours may have left the village or they may have been long dead. The Commission tried to arrange some consolidation of plots if an individual owned more than one in a particular field. Similarly, if a claimant made it clear that he intended to rent out his land in the future, his plot was positioned in such a way as to allow tractor access.

⁷⁵ Interview with former CAP member Bacs Etus, Plaiesti, September 1997.

⁷⁶ Interview with Endre Mate, former CAP and factory worker, Plaiesti, September 1997.

⁷⁷ Sandor Kis for instance, who believed that under the law he was entitled to 50 ari on the basis of his work for the CAP called the division a 'great mistake'. He had only received 30 ari, even though he had worked for the CAP since 1963.

When the provisional maps of each field were ready for field testing, a drummer went, once again through the streets announcing the meeting to the villagers. In the field closest to the centre of the village, around 200 people turned up to witness the process. Commissioner Egei acknowledged the role of the crowd in confirming their decisions:

after they saw we were honest they understood, and for the remaining fields only those who had claims turned out.⁷⁸

In practice, the field testing was another opportunity to amend boundaries, and to test the 'elastic' qualities of the land.⁷⁹ In the early measuring of plots, it was rare for all the boundary markers to be hammered into the ground in one day. Endre Mate recalled how one of the agricultural engineers who had been sent from Cluj to assist with the process, measured the field the night before the Commission had planned to do so. The following day, those who claimed to have once owned land in the field found that there were 'extra' people present, 'friends' of the Land Commission, and that now, mysteriously, there was not enough land to meet all the claims.⁸⁰ All the claimants were sent home and told to return in a few days. In the meantime, they were called individually before the Commission and asked to declare once more how much of the field that they had previously owned. In the next measuring session, Mate noticed that there were less 'friends' of the Commission present and that now there was enough land to meet everyone's claims.⁸¹

For Mate, the matter was as much a generational conflict as a conflict between true owners and opportunists. Like other younger villagers, i.e. those up to 45 years old, he saw the domination of certain older villagers who claimed to be the ultimate verifiers of questions of fact. Their claim was that they were the only ones capable of sifting real claimants from those seeking to unjustly enrich themselves. Mate, along with a number of others in the village, believed that this was untrue.

⁷⁸ Interview with Mate Egei, member of the Land Commission, Plaiesti, August 1997.

⁷⁹ The idea that the Romanian land had to be elastic in order to cope with the demands placed upon it was used by the Mayor of Moldovenesti. Verdery also used it in the title of her article about restitution - 'The elasticity of land: Problems of restitution in Transylvania'. op cit. (1994).

⁸⁰ His version of the field meetings as being occasions for attempted deceptions were echoed by both Miklos Szasz and Mate Egei.

⁸¹ The engineer in question was named Bucur. He arrived from Cluj saying that he had been sent from the agricultural department to help. The majority of villagers I spoke with had little positive to say about him. Egei complained that he ate and drank all the time, whilst Szasz recalled an occasion in the fields where he watched Bucur in huddled conversation with a villager. Guessing that some kind of 'deal' was taking place, Szasz told him to leave the field, that he was not wanted or needed. Shortly after, he returned to Cluj.

Szasz gave an example of the atmosphere of general suspiciousness in which field measuring took place. In one, four hectare field close to the village centre, the amount of land claimed by those present amounted to five hectares, on the day of the division. Szasz suggested that, as it was 'impossible to remember exactly how large a strip had been', if everyone accepted a 20% reduction in their claim, there would be sufficient for all of the claimants. At first, no-one accepted the plan, and some complained that there were people present who they did not recognise as having been their neighbours. Szasz, who was in charge of the measuring process, threatened to leave and, having walked '20 paces towards my house, I was called back and asked to help in the re-measuring'.⁸²

On the whole, field measuring days were not occasions for challenging the veracity of the Commission's decisions. Crucita, the second cadastral engineer who worked for the Commission, recalled how claimants hardly ever denounced those they suspected of lying or exaggeration.⁸³ Commissioner Egei's explanation, that this was because everyone respected their decisions is unconvincing. Even one of his fellow Commissioners admitted that at least one of the agricultural engineers could be bribed to add a name to the field list.⁸⁴ Instead, the explanation for this passivity might lie with the general confusion and uncertainty concerning who actually had owned land in that area, together with a resigned attitude towards suspicious claimants. If they were in the field, then it was clear that they had some support from at least one Commissioner.

Those unhappy with their prospective neighbours did have a chance to appeal to those Commissioners whom they trusted. Alternatively, they could hope that, as in Endre Mate's case, the Commissioners themselves would be forced to amend their maps. Despite the moral importance of exact restitution for some peasants, there were many for whom this was not their goal. They may have wanted to become private landowners again, but that desire was enhanced if the land they were to receive was a little larger, of better quality and, preferably, a little bit closer to the centre of the village.

⁸² Interview with Szasz, Plaiesti, September 1997.

⁸³ Interview with Marginean Crucita, Plaiesti, September 1997.

⁸⁴ Interview with Szasz, Plaiesti, September 1997.

Kideckel makes the point that:

With centralised planning a thing of the past, communities are left to fend for themselves, and develop appropriate strategies and actions for development. This however, is made all the harder by the lack of the impartial state to adjudicate differences, and the suspicions between people generated by the rise and fall of socialism.⁸⁵

In Plaiesti, despite the self-belief of the Commissioners, there was a common suspicion that they acted for their own or for their friends' benefit. The Commissioners did claim that their work took so long because they tried to make everyone happy. The restoration of the old boundaries was a publicly stated goal, whereas those with any involvement in the process knew that there were compromises, missing links, faded memories and deals. The exercise of their discretion invariably created slight advantages for one previous owner over another, adding to the rumours of favouritism.⁸⁶

7.3. Constituting owners

Apart from the former owners, the Commission had obligations to those who had joined the CAP, or whose parents had joined the CAP, with little or no land. The treatment of this group is a good illustration of the struggle between claims based on previous labour and claims based on previous ownership. Article 18 of Law 18 provided that, depending on the amount of land already claimed, the number of potential claimants and the extent of reserves, those who owned less than 50 ari of CAP land could receive between 50 ari and up to 10 hectares of land. In Plaiesti, the most a person falling within this category received was 50 ari. This was allocated not according to the law's criteria of whether or not the claimant had worked for the CAP in its last three years of operation, but according to the Commissioners' view of how much land each household needed. They spoke of Plaiesti's good fortune that it had reserves of land from the surplus land of Tonka and Gal (the maximum that these

⁸⁵ Kideckel (1995) op cit. p. 3.

⁸⁶ The villager who made this claim was Dezso Kerekes, one of the older villagers who was called to be a witness on a number of occasions.

two could claim was 10 hectares each, even though their families had owned 50 and 80 hectares respectively).⁸⁷

Amongst the poorer villagers the division of the CAP land was the source of much resentment and disagreement over the Commissioners' interpretation of the law. Article 18 of Law 18 specified that CAP members without lands, or those with 50 ari or less, could receive land if they could show that they had worked for the CAP *in any way* in the last three years. In practice, some villagers believed that 10 years' service was required, others that 300 working days was needed. There were conflicts over the Commission's decision to restrict each household to a single claim. If one family member qualified for the 50 ari, the work of the other, usually female member would go unrecognised, effectively negating the principle behind the provision.⁸⁸

A further degradation of the claims of former CAP workers was achieved by placing their plots next to those who received their land because of 'welfare' considerations, such as widows and those with larger families.⁸⁹ All these claimants were given land which previously belonged to the landowners Tonka and Gal. Though someone may have worked for the CAP for thirty years, no attempt was made to take this into account in the division of the CAP's land. The issue was one of need rather than of right. This feeling of charity rather than of legal entitlement, and the effect of the Mayor and Commissioners assessing what members of this group needed, created a sense of insecurity in relation to the ownership of land received. Several of those who received 50 ari as a result of the division of land in the village spoke of how they could not really trust that the land would remain theirs. On one occasion, after land had been earmarked for distribution to landless CAP workers and small-holders, a former landowner from Cluj arrived, announcing to them and to the Land Commission that she was the owner of the land and that she wanted it back. The Commission accepted her claim. Those who had already started to prepare the land

⁸⁷ Interview with Commissioner Egei, Plaiesti, September 1997.

⁸⁸ Interview with former CAP member Sandor Nagy, Plaiesti, August 1997. He and his wife fell foul of this rule. Both had worked for longer than three years for the CAP, yet she was entitled to a small plot of land from her parent's holding, she received none of the CAP 'reserves'.

⁸⁹ One story that was told was of a woman who went to the mayor to ask for land even though her husband owned 5 hectares of land. She believed that he was going to leave her and wanted the land as security for her and her child. The idea of asking for land in these circumstances scandalised the woman who recounted the tale.

were simply moved on to another plot.⁹⁰ For other ex-CAP workers, the best option seemed either to buy more land or to sell what they had received.

Those dissatisfied with the Commission had a series of options. Their first line of appeal was to the Judet Land Commission. Sandor Kis appealed to this Commission over the small amount of land allocated to the landless and smallholders, after having tried unsuccessfully to take this up with the Mayor. He claimed that 50 ari per household was inadequate. If the Commission had not been so keen to recognise the rights of the former owners, many of whom were too old to restart private farming, there might have been enough land for everyone to receive around one hectare each close to the village. The Judet Land Commission declined to intervene, claiming that the decision was for the local Land Commission. Kis' own interpretation of why he was rejected by the Judet Commission was that 'maybe it is because I am Hungarian and we are not seen so well'.⁹¹

The state *Tribunal* was an additional avenue for appeals.⁹² As described in Chapter Seven, Parliament had provided for only limited access to the national court system, that is, over matters of the location of land, the amount which a Land Commission may have 'shaved' off the claims of former owners in order to create reserves and finally, matters of inheritance. According to the President of this court, while many cases of disputed inheritance were heard in the *Tribunal* after 1991, none of them originated from Plaiesti.⁹³

The commonest method for remedying a perceived injustice was direct action. The boundary markers publicly placed by Commissioners gradually shifted as crops were planted and harvested and as ploughing took place. Many of the 'original' markers fell or were replaced by large stones, metal posts etc. and, sometimes, not in exactly the same places. If someone noticed that his plot was shrinking he could challenge his neighbour to reposition the boundary. If the conflict remained unresolved, it was taken to individual Land Commissioners, to the Mayor or to the cadastral engineer.

⁹⁰ Interview with Gyula, Iuliu and Julian Torok. Both Gyula and Iuliu had worked for the CAP for 25 years.

⁹¹ Kis was probably one of the few who actually took their claim outside of the village. According to Egei, a number of villagers threatened that they would go to the Judet Land Commission but never did so.

⁹² The Tribunal is the lowest court in the Romanian court system. It has jurisdiction over both criminal and civil matters, from its decisions, appeals may generally lie with the regional court of appeal, which is normally located in the county capital, and then onwards to the Supreme court. If the matter complained of touches upon the interpretation of the constitution, then the matter may be referred to the national constitutional court. For more on the structure of the Romanian court system, see H.B. Jacobini *Romanian Public law: Some leading Internal Aspects*. New York East European Monographs, Boulder Press. 1988.

The temporary property titles that were issued by the Commission did little to stabilise the situation. At least for the first two years following the boundary marking, Crucita was regularly called out to arbitrate between disputing neighbours. Even as late as 1997 she was still called upon to settle boundary disputes.⁹⁴

7.4. Dismantling collective property - the division of the assets and debts

At the same time as the land division, a Commission of Liquidation was established to deal with the non-land assets of the CAP.⁹⁵ Its task was to ensure that the assets of the CAP were distributed in accordance with Law 18. The system of Communist agriculture meant that the farm possessed very little in terms of agricultural machinery. It owned basic tools such as hoes, scythes, spades etc., including some of the original tools brought in by the members. In addition, it owned two lorries. Then there were the CAP buildings, those 'acquired' and those, like the dairy, which had been constructed subsequently.

With hindsight, a number of villagers regretted the way that the CAP assets were divided. At the time, it was a near perfect reflection of the Land Commission's attitude towards the division of the land. Wherever possible, property taken during collectivisation should be restored to the former owners. Where that was not possible, some equivalent asset should be given to the former owner. The lawyer, Gal, received the house that his father had owned and the son of the landowner, Tonka, obtained his father's house in the centre of the village.⁹⁶

Where property was collectively owned, whether originating from the activities of GASDAKOR - the bakery constructed in the 1930s which was still functioning, or, from the socialist period - the dairy, the bowling alley, the barns and stables, then the Liquidation Commission invariably aimed to sell the property 'in order to give cash to everyone'.⁹⁷ No person or group was prepared to accept responsibility for the assets that had come from GASDAKOR. As a result, the bakery was sold at auction to someone from outside the village. The Church did take over the mill that Fikker had

⁹³ Interview with the president of the Tribunal, Mrs Oprea, in Turda, August 1997.

⁹⁴ Interview with Crucita, Plaiesti, September 1997.

⁹⁵ This section was drawn up with assistance of Radu Adrian, a Commissioner on the Commission of Liquidation, as supplemented with information from Szasz, Mate and the Mayor of Moldovenesti.

⁹⁶ Gal complained about the state it was in when he received it. One of the rooms had been used as an animal shed, and the floor was covered with manure. He never moved back there, whilst Tonka's son turned his father's house into a weekend home for himself and his family. Interview with Miklos Gal, Turda, August, 1997.

helped to construct.⁹⁸ The CAP's dairy was sold to a group of villagers who in turn dismantled it for building materials, leaving just the walls standing. No buyer was found for the bowling alley which the CAP had constructed in the 1960s to replace GASDAKOR's original bowling alley. By 1997, it was a ruined shell. A large barn near to the village was sold to the director of Babybeef, and the CAP's lorry drivers were offered first refusal on their vehicles. Both of the drivers bought the lorries at very affordable prices.⁹⁹

The money obtained from these sales was used to pay part of the debts of the CAP. The debt forgiveness programme introduced in the middle of 1991 lessened the extent of these debts. After these were paid, the remainder was distributed amongst the CAP members.¹⁰⁰ Priority was once again given to those who had brought land to the CAP. 60% of the net receipts were allocated according to the amount of land that the member had brought into the TOV/CAP. The rest was determined according to the number of norms fulfilled during a member's working life at the CAP. Where a building remained unsold, Article 28 of Law 18 specified that it was to become part of the patrimony of the *comuna*. In Plaiesti, this applied to a large recently constructed barn, the cultural house and the bowling alley.

8. The effects of the law on the rural economy in Plaiesti

Some of the difficulties of re-establishing peasant farming in Romania have already been examined in Chapter Seven. Many of the problems cannot be ascribed to the provisions of Law 18, nor to the ways in which the Commissions interpreted their duties. The system of agricultural inputs, the methods of storing, distributing and selling produce were set up during the Communist era and all were predicated on large units. No matter how imperfectly it had worked before, in post-Ceausescu Romania there was little of the previous system which was prepared, or able, to work with the new, small landowners. Thus, the village had to re-create its local economy within a new framework.

⁹⁷ Interview with Radu Adrian.

⁹⁸ The actual basis for this restitution was unclear. The Unitarian Priest simply referred to it as **one** of the belongings of the Church. Interview with the Unitarian Priest, Miklos Szekley Plaiesti, July 1997.

⁹⁹ There appears to have been some overlap in workings between the Land Commission and the Liquidation Commission for Szasz, explained how it was his decision to offer the trucks to the CAP drivers. Radu Adrian, from the Liquidation Commission confirmed that the lorries had indeed been sold to the drivers.

¹⁰⁰ Information supplied by Radu Adrian.

It was not long before the disadvantages of private strip farming in Plaiesti became apparent. The CAP had had no modern agricultural tools or machines to distribute.¹⁰¹ Any tractors which villagers had formerly owned had been passed to the state tractor stations. The semi-privatised SMA in Badeni was reluctant to contract with villagers to work upon their scattered strips. In any case, many of the new landowners had little capital of their own with which to buy seeds, never mind pesticides and fertilisers. Manure from domestic animals was unavailable since many of the animals that had been divided amongst the members had been sold or killed for meat. Then there was the problem of the storage and sale of the harvests. Most of the barns were now privately owned or owned by the comuna, making it necessary to rent barn space. Following the dismantling of the CAP, the main state cereal purchaser, ROMCEREAL, frequently delayed collection for a number of weeks after the harvest, leaving the costs of storage to the peasants.¹⁰²

The lack of capital amongst the peasants stemmed from the fact that there were limited income generating activities open to them. During the 1980s the private sale of produce was severely restricted. Prices were set by the state as was the amount that could be sold, even the distance that a peasant could travel from home to the market.¹⁰³ One of the first measures taken by the Provisional Government had been to remove almost all of these restrictions.¹⁰⁴ In practice, this meant peasants could travel to the market in Turda, 18 kilometres away, in order to sell their fruit and vegetables. As the majority of the villagers did not own cars, and as the CAP's lorries had become private property, this meant either getting a lift or taking the bus. Once at the market, the villagers had to compete with hundreds of other peasants selling the same produce at almost exactly the same prices.¹⁰⁵

It was perhaps this last aspect which convinced some of the villagers to rent out their land to local agricultural associations. There were always those who recognised that they would be unable to work the land themselves. In 1990, Babybeef had returned

¹⁰¹ Ibid.

¹⁰² For more on the actions of ROMCEREAL see Chapter Seven pp.

¹⁰³ One of the rules regulating the market was that peasants were not allowed to cross the county border with goods to sell.

¹⁰⁴ In order to prevent the sudden escalation of prices, the government insisted on a set of maximum prices for staples such as bread, meat, oil and sugar. Though they shielded the urban population from higher living costs, they seriously impaired the ability of the peasants to raise their own incomes and to generate capital for investment and development. See Chapter Seven pp.125-131.

¹⁰⁵ Some peasants got tired of this market, and instead aimed for markets further away, even as far as Sibiu, some 400 kilometres to the south. Travelling there, though, raised the same transport problems. For those without cars or unable to share a lift with a neighbour, the only alternative was to hitchhike.

almost all of the land that it had received in 1980. In December 1989 it worked 1,150 hectares, by January this figure had fallen to 200 hectares. In the following month though, it began to increase again - 400 hectares in February, 600 by April and by 1991, the figure had risen to 800 hectares. Almost the entire increase was as a result of individuals wanting to rent out their lands to the company. This took place in spite of the fact that no law had appeared confirming ownership and no title deeds had been issued.¹⁰⁶

The wider restructuring of agriculture, the rise in prices and the loss of subsidies meant that Babybeef itself was finding the transition difficult. It sold the majority of its livestock and diversified its operations to include vegetable and cereal growing alongside its fodder production. At times, because of financial uncertainties, some of its land was left fallow. The limited opportunities to rent land meant an increase in the areas left uncultivated and, crops remaining unharvested. Villagers who recalled the meetings of 1990-91 were quick to point out that those from outside the village and those with the 'loudest voices' were almost invariably the ones who had abandoned parts of their land.¹⁰⁷

In 1993, a second agricultural association was established in the village. A retired official, who had worked in a state commercial department in Cluj and who had been born in Plaiesti, returned to the village announcing that he was looking for land to rent. One reason he gave for wanting to begin an association was the fact that an old woman from Plaiesti had asked him how she could donate her land to the state. Too old to work it herself and without any family to support, she did not want to see it left unworked. Denas Bache called a meeting together with representatives from Babybeef, and asked villagers to join his association, Agromec. No money would be paid as rent, only produce. In competition with Szasz Miklos, who represented Babybeef, a kind of auction took place with each association offering to pay more than the other. Szasz stopped at 1000 kg of cereals per hectare, whilst Denas Bache continued up to 1200 kg per hectare. The majority of the villagers who had rented their land to Babybeef, around 200 families, switched allegiance to Agromec and Denas Bache. In fact, as Szasz Miklos continues to point out, a yield of 1200 kg, though extremely modest in comparison with other countries, was unrealistic.

¹⁰⁶ Interview with Dumitru Babaoana, Director of S. C. Carind S.A. Mihai Viteazul.

Since its inception, Agromec has never managed to pay the 1200 kg it promised. Rising prices for hiring agricultural machinery, increased costs in fertilisers and seeds have resulted in rents being paid of 600-800 kg per hectare, whilst in 1998 the amount had dropped to 400 kg.¹⁰⁸

On the whole, those who rent out their land play a passive role in the associations. Around one quarter of those who rent are from nearby towns, whilst the remainder are older villagers who work their own gardens to supplement their incomes. Few have attempted to withdraw from the associations, in spite of the broken promises about the levels of rent that will be paid. In an echo of what happened during the time of the TOV, when one family announced its intention to withdraw, they were told that the contract they had signed stipulated that, on withdrawal, they would not receive their old land back, but an equivalent-sized piece at the margin of Agromec's land. At this point, the mayor intervened and ordered that association members be allowed to withdraw exactly the same piece of land which they had brought with them. Even though these had been private contracts, and based on ensuring the efficient working of all the association's land, the authority of the mayor was able to override the contracts. In the post-Ceaucescu climate, the absolute property rights of owners took precedence.¹⁰⁹

9. Some conclusions

One question that seems appropriate to ask, given the pre-Communist system of farming in Plaiesti, concerns agricultural co-operation amongst landowners. Many of the problems facing farmers in the village are similar to those which GASDAKOR identified in the inter-war period - the difficulties in getting a fair price for their goods or the lack of capital with which to invest in modern machinery. However, in the immediate aftermath of 1989, there were few signs that a new form of co-operative ownership would emerge as the basis for farming in the village.

It was argued previously in this thesis that collectivisation was part of a programme to invert the social structure of the village. Those who previously had little land or

¹⁰⁷ In an attempt to ensure the maintenance of arable land, Law 18/1991 had imposed a series of regulations, backed up with large fines and even confiscation powers, for those who 'degrade' agricultural land, Article 107. None of the officials spoken with recalled that anyone in the village had been fined for abandoning their land.

¹⁰⁸ Interview with Denas Bache, Szsaz and Babaoana.

¹⁰⁹ Denas Bache.

status were given both land and authority over the *mijloaci* and the *chaiburi*. The collapse of Communist power was an opportunity for the wealthier villagers to reclaim what was taken from them. By seeking to create alliances with cautious, smaller landowners, they were able to block seemingly genuine attempts to reform the collective on the ground that these were simply 'trying to set up another CAP'. The division of the other assets of the farm reflected the triumph of a restorative justice approach. These settlements became an act of compensation to those who were 'wronged' by the authorities. The process also ended up enriching those whose 'suffering' was perhaps less apparent. This approach to the CAP assets resulted in the lorries being sold at discount for no better reason than that the 'buyers' happened to be the previous drivers of the vehicles. It also led to the disposal of goods regardless of whether they were created by GASDAKOR or under Communism. The outcome was that goods that could have been kept for the benefit of the village, such as the bakery, became the personal property of individuals.¹¹⁰ It would be unfair to lay the responsibility for the demise of co-operative practices with the Commission or the wealthier landowners. As one of the poorer farmers, Kis, put it, in 1990-91 'there was no way to keep alive the spirit of co-operation' in the village.¹¹¹ Once the power of the Communist state had fallen, there was little force which could hold maintain 'collective' property. That which was not destroyed or abandoned was sold, even though the consequences were ultimately to almost everyone's detriment. For many of the smaller landowners, their experience of working collectively was of a system which guaranteed neither wages nor dignity from work.¹¹² Under socialism, their property was under the control of the state, and what little they produced was constantly at risk of being taken by the CAP, desperate to meet its ludicrous production targets. Following these experiences, many preferred to take their chance with private farming rather than with an association. To those who attempted to sustain at least some co-operative production, the outcome of the land reforms has been the continued decline of the village as a social and economic unit. There are few job opportunities within, or outside, agriculture that could attract or hold on to younger, dynamic individuals who could help

¹¹⁰ Ibid.

¹¹¹ Interview with Sandor Kis, Ex CAP worker, Plaiesti, September 1997.

¹¹² This last point was an important motivation for many who declined to take part in a new association. It was not only the taking of orders from Brigadiers for whom they had little respect, but the arbitrary character of working relations in the CAP, the theft of their produce when the CAP had failed to reach its quota or the delayed payment of wages after a harvest.

regenerate the village.¹¹³ The Commission's public insistence that restitution neither enrich nor cheat resulted in fierce battles over what amounted to only a few metres of land.

One final point was the problem which the Mayor identified. For him, the difficulties in creating a sustainable system of private agriculture lay in the fact that one whole generation of villagers had never owned land before. Communism had prevented this generation from inheriting or acquiring land of their own, whilst the command system within the CAP meant that many younger landowners lack the necessary agricultural skills to make a success of private farming.

The reforms attempted to recreate the old boundaries for the small group in the village who insisted that the revolution meant, first and foremost, the rectification of Communist injustices. The rights of these owners were the rights to be left alone by the authorities, whatever form they took. This especially included any attempt to use their land in yet another socialist inspired engineering project. Alongside these conceptions of land ownership are others which are less rooted in the past. For those who rent their land, its location is less important than its yield, which in the past few years has been steadily declining. For those who returned from the towns, demanding restitution, now that their land is frequently unworked and barren their links with their old village are almost broken.

¹¹³ The surfeit of unmarried 30 year old males is testament to the village's current situation. Szasz publicly berated a group of 30 year olds coming back from the fields, shouting out that them that it was their fault that the village was doing so badly.

Chapter Ten: Conclusion - the return of the peasant?

If it leads to the restoration of the smallholdings which temporarily existed after the post-war land reforms, natural restitution may imply the creation of highly inefficient family farms which have difficulties in obtaining the necessary funding and are hardly viable as agricultural producers unless they are permanently subsidised. A good example is Romania.¹

1. Introduction

Romania's land reforms were an ambitious attempt to deal with the need to restructure the economy and the need to compensate some of the victims of Communist rule. Arguably, the challenges facing Romania were greater than other countries in the region. Ceausescu's brand of Communism was more rigid and Stalinist than its neighbours. In the 1980s, instead of liberalising their economies and allowing greater degree of private enterprise, the Romanian leader ordered an increase in state planning. As detailed in Chapter Six and in the case study chapters, the rural economy was particularly badly affected by the drive to repay the foreign debts.

In this final chapter, I try to offer a critical assessment of the land reforms that were introduced and to offer some explanation for why they took the form they did. In the second section, I place this examination in the context of debates concerning the role of law in development, in particular, the relationship between state law and more informal, customary methods for dealing with social problems.

2. A mixed economy

In 1990, the then agricultural minister, Victor Surdu, prophesied that agriculture would be reformed within the existing organisational structures. Law 18/1991 treated state and collective farms differently. State farms would not be broken up, instead, they would become joint stock companies with the state and the employees owning the capital of the farm and the former owners of the land owning shares in the company according to the amount of land they held. The state sector only covered

one quarter of all the agricultural land in the country. Collective farms covered over two thirds of the total. With these farms, Law 18/1991 delegated their fate to locally elected Land Commissioners. As we saw in Chapter Seven, there was sufficient latitude in the law to either reform the CAP or dismantle it.

In some parts of the country, the Commissioners drew up an entirely new distribution of land, zoning land into privately worked areas and areas for the agricultural associations to work in.² However, by 1997, Surdu's prediction appeared completely wrong. The vast majority of land was owned by the private sector and, according to the OECD, over eight million hectares of this 11.5 million hectares (74% of the total agricultural land). The public sector, that is those farms either wholly or partly owned by the state, covered the remainder.³

Do these figures suggest a return to the rural landscape of the pre-Communist era? The numbers of smallholders and the amount of land they occupy is probably greater than at any point in the century. The OECD estimated that by 1997, around four million small landholders farmed 60% of the country's agricultural land. The average size of a household farm is just over 2.25 hectares.⁴ Secondly, as in the pre-Communist era, many of these farms were split into several pieces. As we saw in both case studies, each claimant received between four and six separate pieces of land. Thirdly, those large scale agricultural units created by the Communists were dismantled in favour of small village based enterprises. In both case study villages, one of the first actions of the new villager leaders in 1990 was to re-establish the pre-CAP village boundaries.

There has been a return to sharecropping, with those who received little in the reforms renting land from those, mainly elderly villagers, who received more. Some of the agricultural techniques from the pre-Communist era have returned, for instance, leaving the land fallow instead of replacing lost nutrients artificially. Fertiliser use has dropped from approximately 1.2–1.3 million tonnes in 1990 to just

¹ *Offe op. cit.* p.127.

² In Pincota for example, a fairly large village near the border with Hungary, the land was split into four separate areas, three for the new agricultural associations and a fourth divided into strips for those who wished to farm privately. Interview with Chief Land Commissioner Sandru, Pincota, Arad, July 1997.

³ OECD Economic Surveys Romania 1997-1998. Paris. OECD. 1998. p.159.

⁴ *Ibid.* p. 159.

under 400,000 tonnes in 1997.⁵ Whilst there are more tractors in the country, there has also been a return to labour intensive methods of production. And further, though the majority of land is still sown with cereal crops, there has been a shift away from wheat to more peasant staples such as corn and maize.⁶

Perhaps one of the greatest differences though between the pre-Communist and the post-Communist peasant economy is the numbers of people who are dependent on agriculture. In the inter-war period almost three quarters of the population lived and worked within agriculture whereas, by 1989, the proportion was just over one quarter. One of the by-products of returning land to the former owners or their heirs was that Law 18/1991 created the greatest number of absentee owners ever seen in the country. In 1993, the Ministry of Agriculture issued figures that claimed that 43% of those who had property restored to them now live in towns, 39% live in villages but work in towns leaving only 18% who actually own and work the land themselves.⁷ By 1997 an English agricultural consultancy firm estimated that 60% of the owners of agricultural land lived in the towns and cities.

This phenomena has had a range of profound effects, from the type of crops grown to the organisational units that have emerged. Amongst the more negative consequences, there has been an increase in uncultivated land despite the sanctions in Law 18/1991 concerning the non-cultivation of agricultural land.⁸ Estimates of the extent of unworked land vary with the regions. In Cluj county, a local newspaper reported that approximately 30% of the county's land was left unworked in 1997.⁹ In relation to the management of forests, there have been widespread reports of regulations being ignored and trees felled without any provision made for replanting.¹⁰ In Plaesti and in Mirsid, although the original intentions of the owner had been to work the land, there were still several strips in each field that were not cultivated.

⁵ Ministerul Agriculturii si Alimentatiei. *Evolutia sectorului agroalimenta in Romania. Raport anul 1997 al Ministerului Agriculturii si Alimentatiei*. Bucuresti. 1998. p.40.

⁶ *Ibid* p.44.

⁷ *Adevarul* 23rd April 1993 Cf pp.126.

⁸ Articles 53-68 cf pp.125.

⁹ *Adevarul de Cluj* September 12th 1997

¹⁰ Interview with Mircea Oanta Silvic Engineer and founder member of the Association of Owners of Private Forests in Romania. Cf. pp.123.

Inevitably, the switch to small-scale production has led to sharp falls in output and export revenues. The cereal harvest for instance dropped from 18 million tonnes in 1989 to 13 million in 1992, even though this rose again in 1995 to just under 20 million tonnes.¹¹ Throughout the first half of the decade the value of exports was consistently lower than that of imports.¹² Both the OECD and the Romanian Ministry of Agriculture report in 1997, place part of the blame for the decline in output on the inexperience of the new private farmers. The Ministry illustrate their argument with the example of seed use. Despite the costs of good seeds being subsidised, the 'new owners did not appreciate the role played by high quality seeds ... and, it is suggested by the harvests from wheat and corn, representing over half the total cultivated area, that more than half of the seeds used were sub-quality.'¹³

A third consequence of the absence of many owners has been to increase the opportunities for renting land. Yet, as described in Chapter Seven, the development of a land market has been hindered by an inflexible and bureaucratic legal regime. Until 1997 for instance, it was not possible to rent agricultural land to anyone who did not have juridical status. Secondly, there was an outright prohibition on sub-renting and thirdly, the whole process of selling land was made complicated by a series of intricate procedural requirements.¹⁴ As the Ministry of Agriculture conceded though, this had not prevented the emergence of a land market. Two of main characteristics of post-Communist agriculture it noted were a 'relative fluidity of association forms' and the 'dominance of informal arrangements'.¹⁵

Although there is no quantification of figures, the Ministry claim that 'more than half' of older families rent their land to either associations or younger families.¹⁶ Again without quantification, the same 1997 report notes that over half the amount of land rented to agricultural associations is on the basis of verbal agreements.¹⁷ The OECD estimates that there are over 15,000 family associations working an average of 100 hectares, and just under 4,000 agricultural companies working an average of 433

¹¹ OECD op. cit. p.158.

¹² Ibid.

¹³ Ibid. p.41.

¹⁴ For instance as described in Chapter Seven, before anyone could sell their land they had to first offer their family, their neighbours and finally the Ministry of Agriculture the opportunity to bid for the land. Cf p.125.

¹⁵ Report op. cit. p.31.

¹⁶ Ibid.

¹⁷ Ibid.

hectares.¹⁸ This accounts for less than 10% of the total agricultural area. The severe difficulties involved in private farming together with the widespread existence of informal arrangements in both case studies suggests that the figure of 10% may be an under-estimate. In Mirsid in 1997 for example, out of the 180 households in the village, there was only one farmer who worked all of his land. The rest of the village rented out all or part of their land to the agricultural association.

A fourth consequence of the creation of so many absent owners has been to shift the structural position of agriculture in the economy. Since the 1960s there has been a steady decline in the number of people working in the sector. Since 1990, that trend has been reversed. As described in Chapter Seven, small-scale agricultural production has played an important 'buffer' role in the transition from the planned economy. The OECD, for instance, argued that the 'option of returning to the family farm is an important safety net for urban employees and others facing job loss or earning reductions – taking pressure off the unemployment rolls and social security system'.¹⁹ They go on to note that between 1990 and 1994 agricultural employment increased from 28% of the total employment to 34%.²⁰

A relatively small but profitable private service sector has emerged in agriculture. The division of the assets of the CAP, in particular its machinery, allowed thousands of small businesses to be set up. In 1990, there were no privately owned tractors, the state owned the entire stock of 129,230. By 1997, there were 94,934 privately owned tractors and 69,240 state owned tractors.²¹ As Turnock found in the southern Carpathians, much of the 'state's' agricultural machinery found its way into private hands through legal and illegal methods. In turn, these new owners with their machines were hired by the associations and peasants who work their land privately.²² The difficulties in accumulating capital and the rate of inflation in the country meant that many associations were not in a position to acquire machinery of their own, making the *tractorist* into the more wealthy members of the village.

¹⁸ OECD 1998 op cit. p.159.

¹⁹ OECD Economic Surveys Romania 1997-1998. Paris. OECD. 1998. p.16

²⁰ Ibid.

²¹ Ibid Annexa II.3.

²² This echoes developments in the inter-war and post war period where certain peasants preferred to hire out machinery rather than work the land themselves. Many of those who were labelled *chaiburi* were peasants who owned very small amounts of land but who owned tractors or thresher machines. See pp.75-78.

3. The moral basis of the land reforms

The land reforms had a moral as well as an economic dimension. There were strong voices in both villages that saw the reclamation of land as a means of addressing the violence of collectivisation. The legal process of settling claims offered a public recognition of the wrongs done to individuals, giving the victims a chance to participate in the dismantling of the collectives. At the same time, the provisions in Law 18/1991 concerned with redressing wrongs are qualified and in some respects, inconsistent.

As set out in Chapter Seven, not all those who suffered violations of their property rights during the Communist period were compensated.²³ Similarly, there were those who were persecuted before the Communist take-over who received compensation whilst others persecuted at the same time who were ignored.²⁴ Thirdly, the law restricted the right of restitution to those who lived within the country regardless of whether or not they had renounced their Romanian citizenship.²⁵ The reasons for this selectivity appear based upon practical and political considerations. In relation to the compensation offered to the Romanian-Germans for instance, the provisions may well have been included so as to stem the exodus of that minority and to draw upon their traditional farming and organisational skills. On the other hand, the exclusion of all those who had lost land as a result of criminal proceedings, prevented the re-opening of thousands of costly, difficult and socially divisive cases.²⁶

The question of compensation was another controversial issue. For former owners whose land was located in state farms, whether the original taking was grossly abusive or a genuine donation to the construction of socialism in the countryside the outcome was still the same. The victim was entitled to shares in the newly privatised farm equivalent to the amount of land originally taken (subject to the ten hectare limit). As we saw in Chapter Four and Five, land acquired in this way by the state

²³ For example the many people who were charged with criminal offences during the collectivisation campaign as a means of acquiring other land. Cf. p.77 and pp.119-120.

²⁴ For example those Jewish owners of rural property whose land was expropriated in 1941 as part of the anti-Semitic programme of the short-lived Iron Guard coalition government Cf. p.65 and pp.121-122.

²⁵ Cf p.125.

²⁶ Romanian was one of the few countries in the former Eastern bloc which did not open the files of the security services or bar all former officials from public office.

was used to construct both state and collective farms, making the form of compensation dependant on factors entirely unrelated to the original 'offence'.

For those whose land was located within the boundaries of the collective farms, the question of whether they received the land they once owned or an equivalent piece, again, rested upon contingent factors. In both case studies there were examples of owners being unable to reclaim their parent's land because, through no fault of their own, the relevant papers were unavailable. Similarly, whether or not a land transaction from the 1950s re-emerged depended on whether documents were available, whether the original parties were still in the village or whether there were any independent witnesses.

The third question relates to the law's notion of victim. Law 18/1991 makes both former owners and former landless workers beneficiaries of the dismantling of the farm. As set out in Chapter Six the transformation of the countryside under the Communists forced many peasants to leave their homes in search of work. Some, such as the agronomists, were told where to go by the authorities. Others moved slightly more freely after the collapse of their traditional way of life, for instance, the Moti from the Apuseni whose reliance upon the forests ended when the latter were nationalised in 1948.²⁷ For both these groups, the law granted them up to ten hectares each, albeit with the proviso that each landless worker had to show that he or she had worked for the farm for at least the previous three years. As demonstrated in both case studies though, the Commissioners in charge of implementing the law did not see these groups as being equivalent. In their eyes, interference to property rights was of greater magnitude than being forced to leave home. The failure of the law was not to ensure that both these sets of victims received adequate compensation.

4. Breaking with the past

One final perspective that can be used in interpreting the land reforms is the extent to which they represent a break with the previous regime. This view is presented by Claus Offe, who suggests that any regime change involves the 'forward looking task

²⁷ Cf p.103.

of building a new political and economic order out of the ruins of the old' and 'the backward looking task of removing these ruins, where they are not usable as construction materials of the new'.²⁸

I will apply this approach to the Romanian land reforms and in particular, the ways in which disputes connected with ownership and future land-use were dealt with and, secondly, the wider role of state law in regulating land tenure.

4.1. Dealing with disputes

From the evidence of the case studies, disputes over ownership and land use were dealt with more openly and publicly than before. The election of four villagers to every Land Commission offered a chance for democratic control over the reform process. On questions of fact, both Commissions regularly consulted with more senior members of the village, and in terms of their accountability, there were a number of mechanisms to counter outrageous corruption. As the establishment of the new field boundaries demonstrated, the Commissioners' ability to favour their family and friends was limited. In Plaiesti they had to reverse certain 'acts of favouritism', whilst in Mirsid they went to great lengths to justify their decisions. In both villages, the setting of the new boundaries were occasions for recognising as well as rectifying the Commission's decisions. Although the grounds of appeal were not unlimited, it was possible to appeal to higher authorities. In itself, this does not represent a new and distinct attitude towards disputes. However, the readiness of some villagers to petition the Prefect, the topographer and the county Land Commission demonstrated a confidence in the authorities that was not there before.

Whether or not the treatment of land disputes reveals changes in underlying social values is more contentious. On the basis of the disputes examined in the case studies, it is possible to make some general points about points of continuity and possible change in Romanian legal culture. Although Communist propaganda proclaimed equality and brotherhood, as many have shown, the practice of socialism was very different. Networks of patronage governed many aspects of social life and

²⁸ Offe op. cit. p.82.

these were based upon all kinds of familial, social, ethnic and economic relations.²⁹ Almost invariably these relations required careful cultivation and, although many parts of these networks were unravelled in 1989, there were signs that attitudes towards them remained. The mayor of Moldovenesti, for instance, took it as read that the Commissioners would exercise their discretion in a way that would favour themselves and their friends. In Mirsid, the bar-owner Pop, who claimed land in the field *sub grajdului*, falsely according to some, argued his case with a certificate that was signed by his nephew, who worked in the County Agricultural Office, and then there were those who received tiny amounts of land who understood their position as a reflection of their lack of connections. Verdery, in her examination of the rule of law in post-Communist Romania, notes how the presence of *pile* (influence) reinforces fatalistic attitudes towards the legal system. Quoting from a judge whom she had interviewed, she wrote:

.. there are two Romanian views of law: those who win a case in court say justice was done and the law is impartial, whereas those who lose say justice is corrupt and the judge was bribed.³⁰

Attitudes towards ownership represent instance of both continuity and change. Under Communism, private property was guaranteed by the Constitution, yet, as shown by the example of the personal plots for example, ownership rights were precarious in practice. Arguably, public property had a similar impermanence. CAP land might be suddenly given to a state farm or a new cattle breeding farm, an irrigation channel might result in there being more land than there was, official records might distort the amount of land in a farm, the use to which it is put and the yields from the harvests.

By contrast, in a number of disputes detailed in the case studies, the demise of collective property was replaced by an individualist and sometimes absolutist attitude towards private property. In Mirsid, former owners reclaiming 'their' land refused to compensate previous occupiers for work they had done on 'their' land. Other owners refused to enter into any exchange agreements despite the fact that

²⁹ For studies on the importance of kin for instance see Kideckel (1993) and Verdery (1983).

³⁰ Katherine Verdery. *What was Socialism and what comes next?* Princeton. Princeton University Press. 1996 p. 222.

this effectively consigned whole areas of agricultural land to non-cultivation. Thirdly, owing primarily to the objections of the former owners, those who had worked for the CAP but whose families never owned land received no more than the statutory minimum of 50 *aris* of CAP land. Great fights took place over the smallest amounts of land. Crucita, the cadastral engineer in Plaeisti repeatedly had to go back to certain fields to re-measure the strips and replace the correct boundaries

One final dimension in which land disputes reveal breaks with the past is in the relationship between state law and more informal, local customary methods for dealing with disputes. Under Communist rule many rights were enshrined in the law, the problem was that they were practically unenforceable. Appealing to the law was usually less fruitful than drawing upon networks. This general problem of enforcement did not disappear after 1989. In both villages there were examples of individuals who could not get the Land Commission decisions implemented because their land was being used by someone else. If that other person had already sown the land or was simply more vociferous in pursuing their claims, the original decision often remained unenforced.

4.2. State law and the regulation of land tenure

As shown in the earlier chapters, throughout Romania's history there have been several attempts to create a sustainable rural economy through law. The approach of each of the main land reforms in 1831, 1864, 1918-21, 1945 and 1991 was to redistribute agricultural land amongst the peasants and then to attempt to steer the direction of the new rural economy through prescriptive regulations. In both the 1864 and the 1918-21 reforms, the new owner's powers of alienation were restricted on the grounds that this might prevent an increase in the number of dwarf holdings in the country. As argued earlier, the actual ability of the legal system to prevent actions such as the splitting of holdings was limited. The pressure of a rising population and the absence of alternative employment meant that land was divided between families despite the law. Similarly, legislation introduced to stimulate the creation of agricultural co-operatives in the first half of the century, had limited practical impact.

State property law did perform other functions though. The incorporation of Transylvania into Romania in 1918 ensured that *Cartea Funciar* became the basis for the registration of property rights throughout the country. Despite the fact that it was by no means a comprehensive account of landholding in all parts of the country, it did serve an important function in the resolution of the, not infrequent, boundary disputes.³¹

The advent of the Communists gave the state far greater power in controlling the use of land. Individual property rights were subsumed to the goals of increasing production and creating socialist farms. By the end of the collectivisation campaign in 1962, private control over land extended to a few isolated mountainous farms and the small gardens around most peasant's homes. Even then there were occasions when that land became part of the economic plan. There was some continuity in the way that state law worked in practice. Although the law guaranteed private property in practice, legal provisions for supposed benefit of individuals were frequently ignored if they came into conflict with more important objectives.³²

The recording of property rights was transformed under Communist rule. Although *Cartea Funciar* was not totally comprehensive, the accuracy of its entries was not usually challenged, and yet, as we saw in both case studies, the quota regime had the effect of undermining the accuracy of the state's ownership records. While most of the land in the country was collectively owned, this had relatively few consequences. Indeed, as demonstrated in Chapter Six, the complex and ambitious economic plans, increased the levels of official fabrication of land use statistics. Land registered as pasture was used for cereal growing, CAP land was 'donated' to the state farms in an effort to increase productivity and perhaps most notoriously, the harvest figures were regularly fabricated.³³

The dismantling of the collective regime exposed some of these distortions. However, the conditions necessary for the reconstruction of an accurate and

³¹ Cf p 171.

³² An example would be the 1950 law on land exchanges which provided for a fair and equal exchange with like being given for like. As demonstrated in Chapter Five there were many occasions in which those provisions were ignored. Cf. p.83. An earlier example would be the regional rent boards set up after the 1907 uprising. Although they were supposed to establish maximum rents for the regions, in practice, the landlords were able to bypass the levels they set. Cf p.26.

³³ Cf. p.100.

comprehensive land register were not created in the first part of the 1990s. As the case studies demonstrate, the extent to which the true picture of ownership changes can be recovered depends on the presence of reliable, alternative records, whether the original parties are living and whether or not they can agree on what had exactly taken place. Even if the Land Commission's decisions are accepted as representing the best available restatement of previous boundaries, in many parts of the country, it took years before the official legal title deeds were issued. Although Law 18 set very strict deadlines for the submission of claims and supporting documentation, in very few cases were legal titles issued following the local determination of ownership.³⁴ The OECD report from 1997 estimated that 40% of owners were still awaiting their final deeds. In the meantime, owners had to use their temporary *adverintas* in all dealings with their land.

A further obstacle to the creation of an official and comprehensive land register is the regulations surrounding all land transactions. As described earlier the creation of a market in land has been blocked by prohibitions on sub-renting, renting to non-juridical actors and hindered by complex registration requirements. The failure to set up the National Agency for Rural Development rendered many sales illegal. As the Ministry of Agriculture concluded this mismatch between state law and the nature of the current rural economy increased the scope for informal arrangements. In the case studies this can be seen by the actions of peasants such as Ioan Pop organising land exchanges from his home in Mirsid. In both villages, sales of land took place by simply buying *adverintas* immediately after they were issued by the Land Commission.

For many in the village, the revolution offered the freedom to dis-associate from state organisation. In a village such as Plaiesti, where the achievements of the inter-war *mijloaci* were so exceptional, collectivisation had been bitterly resented as a forced inversion of the old order of things. Instead of wealth and status being founded on individual effort and agrarian co-operation being based upon consent, the Communists promoted the poorest and the least educated to positions of authority, consigning the formerly successful private farmers to menial tasks. Those who tried to remain outside the TOV and the CAP were gradually ground down by

³⁴ Cf. p.126.

the system of quotas and by continued harassment from party activists. These indignities were deeply felt. The onset of collective farming meant the loss of all those things that previously symbolised a peasant's standing - land, machinery, tools, labour and, in some cases, even the family home.

For these peasants the reconstruction of the pre-Communist boundaries was first and foremost a moral question and one in which the wrongs could be righted by simply reclaiming what was taken. Yet, as I have tried to show, in many ways Romania was irreversibly transformed by Communist rule, and one of the main transformations was in the relationship between the peasants and the land. As the peasant admirers of the 1930s argued, land ownership was much more than the possession of a quantity of earth. It was the basis for social and familial relations in the village, it recorded all kinds of changes and, through the maintenance of old agricultural techniques, it represented the enduring link to the past. For the great majority of current landowners in Romania today, that link was broken a generation ago.

Bibliography

Primary Sources

Romanian Statutes

Law for the regulation of rural property relations 15 August, 1864

Law on Agricultural Contracts 1866

Agrarian reform law for Bessarabia M.O.258 March 13th 1920

Agrarian reform law for Oltenia, Muntenia, Moldova and Dobrogea (in the Old Kingdom) M.O. 82 July 17th 1921

Agrarian reform law for Transilvania, Banat, Crisana and Maramures M.O July 30th 1921

Agrarian reform law for Bucovina M.O. 93 July 30th 1921

Decree-Law for the establishment of agrarian reform M.O. (partea 1-a) 68/bis 1945

L.16 M.O. 12 January 15th 1949 - Providing for the punishment for crimes prejudicial to state security and the prosperity of the nation

L.18 - B.O. 45. 14 July 1949 - Providing for the regulation of agricultural income tax

L.58 November 1st 1974. Providing for the systemisation of urban and rural localities.

L. 15 M.O. 98 August 7th 1990 - Providing for the reorganisation of state enterprises through the creation of autonomous bodies and commercial companies

L.18 M. O. 37 February 20 1991 - Fundamental law on agricultural land resources

L. 36 M.O No.97 April 30th 1991 - On the establishment of agricultural companies and other forms of agricultural associations

Civil Code 1864 M.O. No 271 December 4th 1864

Constitution of the People's Socialist Republic of Romania M.O. No.87 April 13th 1948

Constitution of Romania M.O. 233 November 23rd 1991

Decrees, Decree-laws and other government regulations

D. 351 M.O. No. 101 May 3rd 1945. - On speculation and crimes of economic sabotage.

DPCM 2339. M.O. No.161 19 July 1945. - Compulsory quotas for wheat, oats, barley and other cereals

DMAD 2363. M.O. No.167 26 July 1945 -Obligation to deliver seeds to the national Institute for Co-operative Works.

D.83 B.O. No.1 March 2nd1949 - Provising for the expropriation of the remaining lands of the *mosieri*.

D.183 B.O. No.25 April 30 1949 - Providing for punishments for economic infractions.

D.183 B.O. No.15 April 2nd 1949 - Providing for the socialisation of agriculture through the creation of collective farms.

D.199. B.O. No.29 May 14th - On the regulation of the activities of the state enterprises

D.319 B.O. No.51 August 1st 1949 - On the establishment of the *Gospodariilor Agricole Colective*

D.143 B.O. No.46 May 20 1950 - Providing for the establishment of the regime for the collection of agricultural produce

D.151 B.O. 52 June 10th 1950 - Providing for the consolidation and transfer of agricultural land

D.111 B.O. No.81 July 27 1951 - On the establishment of the legal regime for the confiscation of the personal property of those who have been deported or arrested

H. C. M 1650 B.O. No.39 June 18th 1953 -Providing for the model statute for the *Gospodariei Agricole Colective*

D.261 B.O. No.20 July 15th 1955

D.115 B.O. 10 March 30th1959 - Providing for the liquidation of all forms of exploitation between persons involved in agriculture

D.L. 42 M.O. 17 January 29th1990 - Providing for certain measures to improve peasant agricultural production

D.L. 118 M.O No.50 March 30th 1990 - Providing for the rights of persons persecuted for political reasons under the dictatorship which began on March 6th 1945, whether or not such persons were deported abroad or made prisoners.

Archive materials

Files of the County Commission for Expropriation and Agrarian Reform in the county Salaj-Zalau. 1922. State Archives. Zalau

Official Testimony of Agricultural Engineer Ioan Maxim. Agricultural Section. 1922. State Archives. Zalau.

Official Testimony of Agricultural Advisor G. Garboveanu. 9 June 1920. Agricultural Section. State Archives. Zalau.

Official Testament of the Assets that had not been stolen of Stefan Weschelenyi, who fled with the German-Hungary armies File Number 1075/1945 Agricultural Section, State Archives, Zalau.

Files of the County Commission on Expropriation and the Implementation of Agrarian Reform in 1945. Agricultural Section. State Archives. Zalau.

Report of the County Chief's Office, 2 March 1946, Agricultural Section. State Archives. Zalau.

Demographic Statistics from the Office of the Mayor, Mirsid.

Archives of the Collective Farm in Mirsid. Agricultural Section. State Archives. Zalau

Archives of the Collective Farm in Plaiesti. Office of the Mayor of Moldovenesti. Turda

Comitetul Regional Partidul Muncitoresc in Romania Cluj - Raport de Activitate Sectia Taraneasca 1947

Comitetul Regional Partidul Muncitoresc in Romania Cluj 1948

Comitetul Regional Partidul Muncitoresc in Romania Cluj - Raionul Someș 1949.

Comitetul Regional Partidul Muncitoresc in Romania Cluj - Raionul Someș 1950.

Comitetul Provizoriu al Judetului Cluj - Sectia Secretariat 1949.

Comitetul Provizoriu al Judetului Cluj - Sectia Agricol 1950.

Comitetul Provizoriu al Judetului Cluj - Raporte Informative, Tablourilor Chiaburilor. 1951.

Sfatul Popular Regional Cluj - Sectia Agricola, Dosar Nr.9, 1951.

Statistics

Anuarul Statistic al Republica Populara Romania. Bucuresti. Directia Centrala de Statistica 1961.

Anuarul Statistic al Republica Populara Romania. Directia Centrala de Statistica Bucuresti. 1965.

Anuarul Statistic al Republica Populara Romania. Bucuresti. Directia Centrala de Statistica 1982.

Anuarul Statistic al Republicii Socialiste Romania. Bucuresti. Directia Centrala de Statistica. 1990.

Books

Berend Ivan T. 'Agriculture' in *The Economic History of Eastern Europe 1919-1975, Vol.1.* M. C. Kaser and E. A. Radice (eds.) Oxford. Clarendon Press. 1985.

Berend Ivan T. and Ranki George. *Economic Development in East-Central Europe in the 19th and 20th Centuries.* New York. Columbia University Press. 1974.

Boia Lucian. *Istoria si Mit in Constiinta Romaneasca.* Bucuresti. Humanitas. 1995.

Borkeneau F. *The Communist International.* London. Faber. 1938.

Codreanu Corneliu Zelea. *For my legionaries: the Iron Guard.* Madrid:Editura "Libertatea",1976.

Coisan Florin. *Mecanisme ale instaurarii Comunismului in Romania. Reforma agrara din 1945. Stadiu de caz. Judetul Satu Mare.* Unpublished thesis. Institute of History and Philosophy. University 'Babes-Bolyai' Cluj-Napoca. 1996.

Cosmovici Paul M. *Drept Civil - Drepturi Reale, Obligatii, Legislatie.* Bucuresti. Editura All. 1996.

Costea St., Larionescu M. and Tanasescu F. *Agricultura Romaneasca - O perspectiva istorico-sociologica.* Bucuresti. Editura ARARAT. 1996.

Crampton Ross. *Bulgaria.* London. Routledge. 1992.

Deletant Denis. *Ceausescu and the Securitate. Coercion and Dissent in Romania 1965-89.* London. Hurst and Company. 1995.

Demekas Dimitri G. and Khan Moshin S. *The Romanian economic reform program.* Washington D.C. International Monetary Fund. 1991.

Durandin Catherine. *Istoria Romanilor.* Bucuresti. Institutul European. 1998.

Eidelberg Gabriel. *The Great Romanian Peasant Uprising of 1907: Origins of a modern Jacquerie.* Leiden. E. J. Brill. 1974.

Focseneanu Eleodor. *Istoria constituionala a Romaniei 1859-1991.* Editia a 11-a revazuta. Bucuresti. Humanitas. 1998.

Fonseca Isabel. *Bury me Standing - The Gypsies and their Journey*. London. Chatto and Windus. 1995.

Foreign Relations. Volume 2. 1238-1245. Washington. U.S Department of State. 1945.

Fredrickson Christine. *The Alabaster Village - Our Years in Transylvania*. Boston. Skimmed House Books. Year unknown.

R D Freeman. 'Policies for trade and investment in eastern Europe'. from Miller. F. A (ed.) 1993. *Eastern Europe: Opportunities and needs for food and agriculture*. CAS Paper 27. Reading: Centre for Agricultural Strategy.

Frunza Victor. *Istoria Stalinismului in Romania*. Bucuresti. Humanitas. 1990.

Frydman, Roman, Rapaczynski, Andrzej, Earle J.S. et al. *The privatization Process in Central Europe*. Central European University Press. London 1993.

Gallagher Tom. *Romania after Ceausescu*. Edinburgh. Edinburgh University Press. 1994.

General Agreement on Tariffs and Trade. *Trade Policy Review - Romania 1992*. Volume One. Geneva. General Agreement on Tariffs and Trade. March 1993.

Gilberg Trond. *Nationalism and Communism in Romania. The Rise and Fall of Ceausescu's Personal Dictatorship*. San Francisco. Westview Press. 1990.

Golopentia Anton and Georgescu D.C. *Populatia Republicii Populare Romane la 25 Ianuarie 1948; Rezultatele provizorii ale recensamantului {de} A. Golopentia si D.C. Georgescu*. Bucuresti. Inst. central de statistica. 1948.

Gormsen M. *Short Introduction to the Principal Problems of the Agriculture in Romania*. Bucharest. 1945.

Grafton Paul. 'Romania's Socialist Agriculture: The Balance Sheet' in Vlad Georgescu (ed.) *Romania: 40 Years (1944-84)*. Washington. Praeger. 1985.

Graham Randolph L. *The Politics of Genocide - The Holocaust in Hungary*. New York. Columbia University Press. 1981.

Gusti D. *60 Sate Romanesti*. Bucuresti. 5 Volumes. 1941-44.

Henry David C. *Agricultural Land Reform in Romania*. LSE. Pamphlet Collection. Coll. P.1162. 1992.

Hilberg Raul. *The Destruction of the European Jews*. London. W. H. Allen. 1961.

Hillgruber Andreas. *Hitler, Regele Carol si Maresalul Antonescu*. Bucuresti. Humanitas. 1994.

Hitchens Keith. *Rumania 1866-1947*. Oxford. Clarendon Press. 1994.

- Holmes Leslie. *The End of Communist Power: Anti-Corruption Campaigns and Legitimation Crisis*. Polity Press. Oxford. 1993
- Institute of Jewish Affairs. *Jewish Restitution and Compensation Claims in Eastern Europe and the Former USSR*. Research Report No.2. London. Institute of Jewish Affairs. 1993.
- International Yearbook of Agricultural Statistics 1941-42 to 1945-46*. Volume One. Rome. International Institute of Agriculture. 1947.
- Ionescu D. B. Dr. *Agricultura Romana in judetul Mehedinti*. Bucuresti. 1866.
- Ionescu Ghita. *Communism in Rumania 1944-62*. London. Oxford University Press. 1964.
- Ito, Takyuki. Eastern Europe: Achieving Legitimacy. in Rozman, Gilbert, Sato Seizaburo and Segal Gerald *Dismantling Communism - Common Cause and Regional Variations*. Baltimore. John Hopkins University Press. 1992.
- Jacobini H.B. *Romanian Public law:Some leading Internal Aspects*. New York East European Monographs, Boulder Press. 1988.
- Janos Andrew. C. *The Politics of Backwardness in Hungary 1825-1945*. Princeton N.J. Guildford. Princeton University Press. 1982.
- Janos Andrew. C. "Modernisation and Decay in historical perspective: The case of Romania", in Kenneth Jowitt (ed.) *Social Change in Romania 1860-1940 - A debate on development in a European nation*. Berkeley. Institute of International Studies, University of California. 1974.
- Kideckel David. A. *The solitude of Collectivism: Romanian Villagers to the Revolution and beyond*. Ithaca and London. Cornell University Press. 1993.
- Kideckel David. A. 'Two Incidents on the Plains in Southern Transylvania: Pitfalls of Privatisation in a Romanian Community' in David. A. Kideckel (ed.) *East European Communities - The Struggle for Balance in Turbulent Times*. Boulder. Westview Press. 1995.
- Kincses Elod. *Black Spring: Romania's Path from Revolution to Pogrom. December 1989 - March 1990*. 1992.
- Lampland Martha. *The Object of Labour; the Commodification of Agrarian Life in Socialist Hungary*. Chicago. Chicago University Press. 1995.
- Lavigne Marie. *The economics of transition: from socialist economy to market economy*. Basingstoke. Macmillian Press. 1995.
- Lloyds Bank. *Economic Situation Reports - Romania 1988*. London. 1988.

- Lungu Dov. B. *Romania and the Great Powers*. Durham. Duke University Press. 1989.
- Lycett Samira. 'The Monster in the Corner: Romanian television before and after the revolution'. Unpublished thesis. University of Westminster. 1995.
- Markov Georgii. *The truth that killed*. London: Weidenfeld and Nicolson, 1983
- C. Martinovici, N. Istrati. *Dictionarul Transilvaniei, Banatului si Celoralter Tinutui Alipite*. Cluj. Institut de Arte Grafice - Ardealul. 1921.
- MASDAR. *Information Pack for Farming in Romania*. Wokingham. December 1997.
- Mayhew Alan. *Recreating Europe: The European Union's Policy towards Central and Eastern Europe*. Cambridge. Cambridge University Press. 1998.
- Mihalache I. *Dreptul taranilor la pamant, islazuri si paduri*, Bucuresti. 1922.
- Miller F. A. (ed.) *Eastern Europe: Opportunities and needs for food and agriculture*. CAS Paper 27. Reading: Centre for Agricultural Strategy. 1993.
- Milosz Czeslaw. *The Captive Mind*. New York. Vintage. 1952.
- Mitrany David. *The Land and the Peasant in Rumania: The War and Agrarian Reform 1917-21*. London. Oxford University Press. 1930.
- Montias John Michael. *Economic Development in Communist Romania*. Cambridge. Massachusetts. MIT Press. 1967.
- Murville D.M.A. and Wekerele A. 'Land and Peasant in Romania' in V. Gsovski and K. Grzybowski (Eds.) *Government, Law and Courts in the Soviet Union and Eastern Europe*. London. Atlantic Books. 1959.
- OECD. *Agricultural Policies, Markets and Trade. Monitoring and Outlook 1994: In the central and eastern Europe countries (CEECs), the New Independent States, Mongolia and China*. OECD. 1994.
- OECD. *Romania: An Economic Assessment*. Paris. OECD. Centre for Co-operation with the European Economies in Transition. 1993.
- OECD. *Prospects for Agricultural Production and Trade in Eastern Europe*. Volume 2. Paris. OECD. 1982.
- Ofer Dalia. *Escaping the Holocaust - Illegal Immigration of the Land of Israel 1939-45*. Oxford. Oxford University Press. 1990.
- Offe Claus. *Varieties of Transition: The East European and East German Experience*. Cambridge. Polity Press. 1996.
- Okey Robin. *A History of Eastern Europe 1780-1985*. 2nd Edition. London. Routledge and Kegan Paul. 1990.

Orescu Serban. 'Multilateral Developed Romania: An Overview' in Vlad Georgescu (ed.) *Romania: 40 Years (1944-84)*. Washington. Praeger. 1985.

Pacepa Ion. *Red Horizons*. London. Heinemann. 1988.

Pearson Maurice. 'The Communitisation of the economy: Efforts to promote and control economic chaos' in *6 martie 1945 - Incepturile Comunizarii Romaniei*. Bucuresti. Editura Enciclopedia. 1995.

Pogany Istvan. *Righting Wrongs in Eastern Europe*. Manchester. Manchester University Press. 1997.

Poujade E. *Chretiens et Tures*. Paris. 1859.

Proudfoot Malcolm. J. *European Refugees: 1939-52 - A Study in Forced Population Movement*. London. Faber and Faber. 1957.

Pryor Frederic LeRoy. *The red and the green :the rise and fall of collectivized agriculture in Marxist regimes*. Princeton, N.J.;Oxford:Princeton University Press. 1992.

Radesh Nestor. *Romania: The Estranged Revolution*. Washington. Praeger. 1991.

Rady Martyn. *Romania in Turmoil*. London. I. B. Taurus. 1994.

Roberts Henry L. *Rumania - Political Problems of an Agrarian State*. New Haven. Connecticut. Yale University Press. 1951.

Roman Petre. *Raport privind stadiul aplicarii reformei economice si necesitatea accelerarii acesteia*. Bucuresti. 1990.

Rosenberg Tina. *The Haunted Land: Facing Europe's Ghosts After Communism*. London. Vintage. 1995.

Roske Octavian (ed.). *Dosarul - Colectivizarii Agriculturii in Romania 1949-1962 - Studiu intocmit de Comisia pentru cercetarea abuzurilor si pentru petitii din Camera Deputatilor*. Bucuresti. 1992.

Joseph Rothschild. *Return to Diversity: a political history of East Central Europe since World War II*. New York. Oxford University Press. 1989.

Sachs Jeffrey and Woo Wing Thye (eds.) *Experiences in the transition to a market economy*. SanDiego; London. Academic Press. 1994.

Sampson Steven. 'All is possible, nothing is certain: The horizons of transition in a Romanian village.' in David. A. Kideckel (ed.) *East European Communities - The Struggle for Balance in Turbulent Times*. Boulder. Westview Press. 1995.

Schieder T. *Dokumentation der Vertreibung der Deutschen aus Ost-Mitteleuropa*. Bonn. Federal Ministry for Expellees, Refugees and War Victims. Nine Volumes. 1953.

Schopflin George. *Politics in Eastern Europe 1945-1992*. Oxford. Blackwell. 1993.

Schopflin George. *Romania's ethnic Hungarians*. 2nd edition. London. Minority Rights Group. 1990.

Scurtu Ioan and Boar Liviu (eds.) *Minoritatile Nationale din Romania 1918-1925 Documente*. Bucuresti. Arhivele Statului din Romania. 1995.

Scurtu Ioan. (ed.) *Romania - Viata Politica in Documente 1945*. Bucuresti. Arhivele Statului din Romania. 1994.

Scurtu Ioan. (ed.) *Romania - Viata Politica in Documente 1947*. Bucuresti. Arhivele Statului din Romania. 1994.

Seton-Watson Hugh. *Eastern Europe between the Wars 1918-1941*. Hamden. Archon Books. 1962.

Seton-Watson Hugh. *The East European Revolutions*. 3rd edition. Boulder. Westview Press. 1985.

Seton-Watson R.W. *A History of the Roumanians: From Roman times to the completion of Unity*. Cambridge. Cambridge University Press. 1934.

Siani-Davies Peter. *The Romanian Revolution. Myth and Reality: Myth or Reality*. Unpublished PhD Thesis. School of Slavonic and East European Studies. University College London. 1999.

Sjoberg Orjan and Wyzan Michael L. (eds.) *Economic change in the Balkan states: Albania, Bulgaria, Romania and Yugoslavia*. London. Pinter. 1991.

Sontag R.J. and Beddie J.S. (eds.) *Nazi-Soviet Relations 1939-41*. Washington. U.S Department of State. 1948.

Sulber Nicolas. *The economics of Communist Eastern Europe*. Westport Connecticut:Greenwood Press. 1957.

Stahl Henri. H. *Traditional Romanian Village Communities: The transition from the communal to the capitalist mode of production in the Danube region*. Cambridge. Cambridge University Press. 1980.

Stalin J.V. *Problems of Leninism*. Peking. Foreign Languages Press. 1976.

Starr, June. *Dispute and Settlement in Rural Turkey - An Ethnography of Law*. Leiden. E.J. Brill 1978.

Swain Nigel. *Hungary: Collective Farms that work ?* Cambridge. Cambridge University Press. 1985.

Swain Nigel. *Hungary - The rise and fall of feasible socialism*. London. Verso. 1992.

Tanasescu Bogdan. *Colectivizarea intre propaganda si realitate*. Bucuresti. Globus. 1992.

- Teichova Alice. 'Industry', in *The Economic History of Eastern Europe 1919-1975*. Vol.1. M. C. Kaser and E. A. Radice (eds.) Oxford. Clarendon Press. 1985.
- Triska Jan F. *Constitutions of the Communist Party States*. Stanford. The Hoover Institution on War, Revolution and Peace. Stanford University. 1968.
- Turnock David. *Eastern Europe: An Economic and political Geography*. London. Routledge. 1989.
- Turnock David. *An Economic Geography of Romania*. London. Bell. 1974.
- Turnock David. *The Romanian Economy in the Twentieth Century*. London. Croom Helm. 1986.
- Verdery Katherine. *Transylvanian Villagers: Three Centuries of Political, Economic, and Ethnic Change*. Berkeley. University of California Press. 1983.
- Verdery Katherine. *National Ideology under Socialism - Cultural Politics in Ceausescu's Romania*. Berkeley. University of California Press. 1993
- Verdery Katherine. *What was Socialism and What comes Next?* Princeton. Princeton University Press. 1996.
- Wadekin Karl Eugen. *Agrarian Policies in Communist Europe: A Critical Introduction*. The Hague. Allanheld. Osmun. 1983.
- Warriner D. (ed.) *Contrasts in Emerging Societies - Readings in the Social and Economic History of South-Eastern Europe in the Nineteenth Century*. London. Athlone Press. 1965.
- Warriner Doreen. *The Economics of Peasant Farming*. Oxford. Oxford University Press. 1939.
- Watts Larry. *Romanian Cassandra: Ion Antonescu and the struggle for reform 1916-1941*. Boulder. East European Monographs. 1993.

Articles

- Ash Timothy N. 'East European Agriculture at a Crossroads', *Radio Free Europe/Radio Liberty Research Report*, pp.33-38 24th January 1992.
- Cepl Vojtech. 'A Note on the Restitution of Property in Post-Communist Czechoslovakia', *Journal of Communist Studies*, Vol.7 No.3 367-75. September 1991
- Eddie Scott. M. 'The Changing Pattern of Landownership in Hungary, 1867-1941, in *Economic History Review*. Vol.20 293-309. 1967.

Gowan Peter. 'The pillage of Eastern Europe' in *New Left Review*. Vol. 213 3-60. September/October 1995.

Grafton Paul. 'Measures and Half-Measures to Stimulate Agriculture'. *Radio Free Europe / Research Report on Eastern Europe*. 34 - 37. 11th May 1990.

Jedlicki Jerzy. 'The revolution of 1989: The unbearable burden of history'. *Problems of Communism*. Vol. 39 No.4 39-48. 1990.

Just Peter. 'History, Power, Ideology and Culture: Current Directions in the Anthropology of Law' *Law and Society Review* Vol. 26 No.2 373-411. 1992

Kideckel David. 'Economic Images and Social Change in the Romanian Socialist Transformation'. *Dialectical Anthropology* Vol. 12 No.4 399-411. 1988.

Kovach, Imre Privatization and Family Farms in Central and Eastern Europe. *Sociologia Ruralis* Vol. 34 No.4 639-82. 1994.

Kozminski Andrzej K. Restitution of Private Property; Re-privatization in Central and Eastern Europe. *Communist and Post-Communist Studies*. Vol. 30 No.1 95-106. 1997.

Levy Robert. 'The "Right Deviation" of Ana Pauker. *Communist and post-Communist Studies* Vol.28 No.2 239-254. 1996.

Offe Claus and others. 'A Forum on Restitution' - *East European Constitutional Law Review* p.30-40. Summer 1993.

Paczolay Peter. Judicial Review of the Compensation law in Hungary. *Michigan Journal of International Law*. Vol.13 806-831. Summer 1992.

Ronnas Per. 'Turning the Romanian Peasant into a New Socialist Man: An Assessment of Rural Development Policy in Romania. *Soviet Studies*. Vol.41 No.4 October 1989.

Roske, Octavian. 'Accente in strategia colectivizarii, Articolul 209, Cod Penal' *Arhivele Totalitarianismului* Anul II Nr. 1-2 277-312. 1994.

Sandru D. 'Proprietatea funciara rurala din Romania de la reforma agrara din 1945 pina la colectivizarea agriculturii (II)'. *Anuarul - Institutului de Istorie 'A.d.Xenopol'*. Vol.28 143-162. 1991.

Francis G.Snyder. Anthropology, Dispute Processes and Law: A Critical Introduction. *British Journal of Law and Society*. Vol. 8 No.2 141-80. Winter 1981.

Stoicescu Andrei 'Exchange of agricultural land effected by the application of Decree 1515/1950. Consequences regarding the application of law 18/1991' *Dreptul*. Anul 4 Nr.8. 1993.

Topor Gabriel. 'The Postcommunist Land Law'. *Report on Eastern Europe*. Vol. 2 No. 35 36-40 1991.

Turnock David. Romanian Villages: Rural planning under Communism. *Rural History*. Vol.2 No.1 1991

Turnock David. 'Agricultural change in the Romanian Carpathians'. Leicester University Discussion Papers in Geography. No. G93/2. March 1993.

Van Frausum Yves G., Gehman Ullrich and Gross Jurgen. 'Market Economy and Economic Reform in Romania: Macroeconomic and Microeconomic Perspectives'. *Europe - Asia Studies*. Vol. 46 No.5 1994.

Verdery Katherine. 'The elasticity of land: Problems of restitution in Transylvania'. *Slavic Review*. Vol. 53 No.4 1071-1109. (Winter)1995.

Wyzan Michael. 'Bulgaria: The Painful Aftermath of Collectivised Agriculture' *Radio Free Europe/RL Research Report* Vol.2 No.37 17th September 1993.

Newspaper Articles

Adevarul 23 April 1993

Agerpres. Bucuresti. February 28 1984.

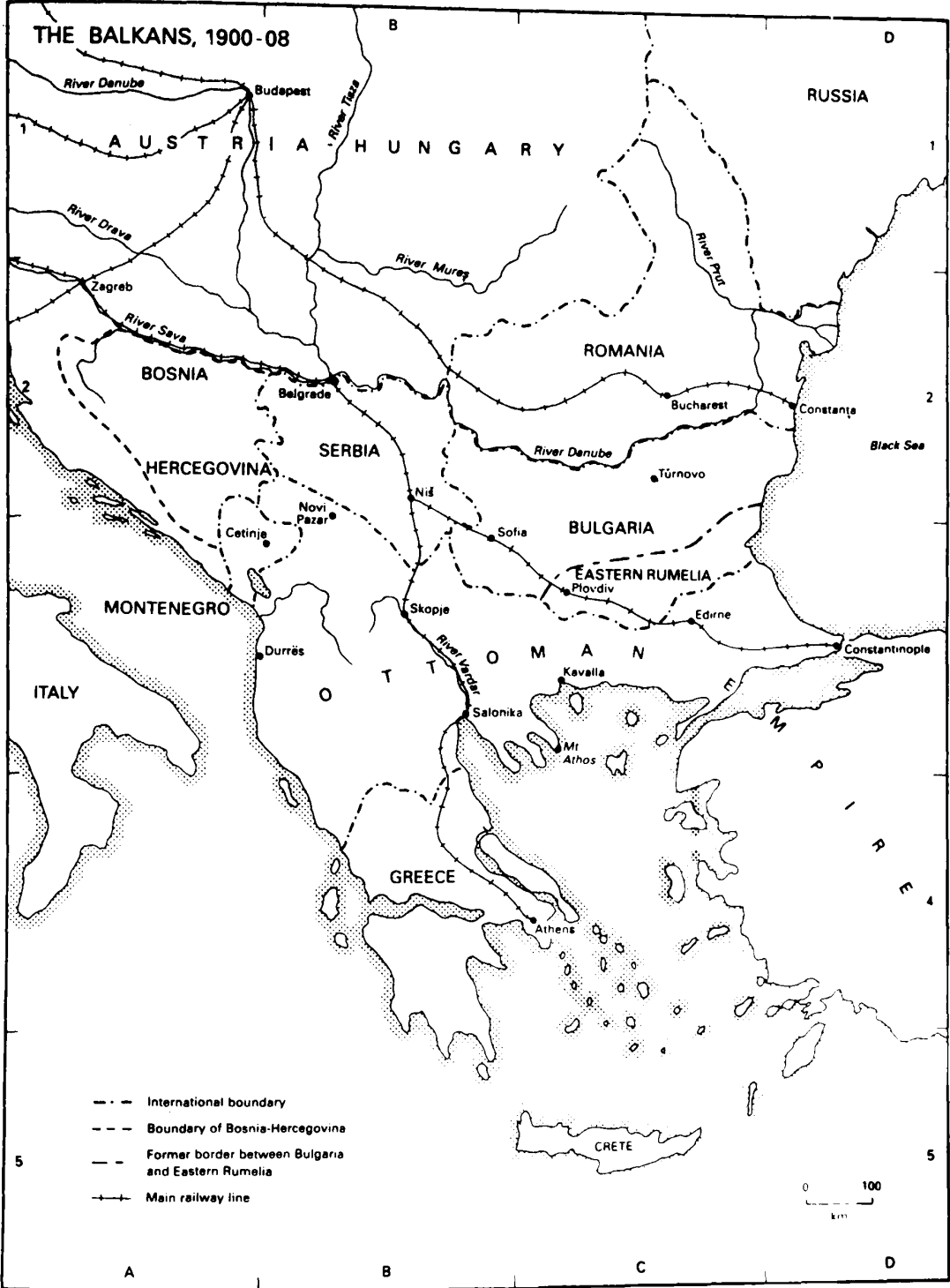
Romania Libera. Ieri la Parlament. 14 March 1990.

Scinteia, No 1238, October 1st 1948.

The Guardian. 'Confusion over Food Needs'. 25 January 1990.

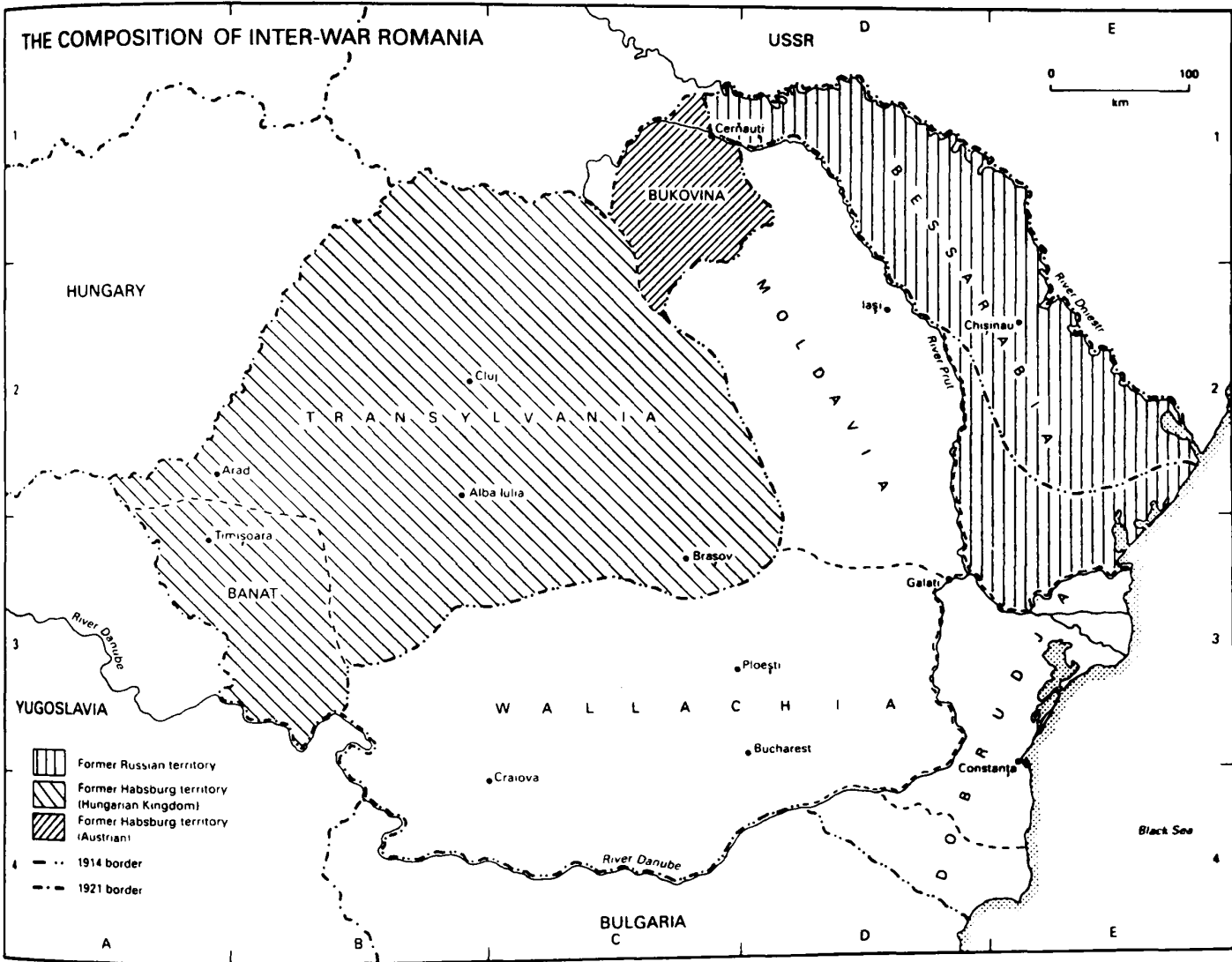
The Times. 'Food supply key to prevent unrest'. 3 January 1990.






Appendix - Maps and Charts





THE COMPOSITION OF INTER-WAR ROMANIA



-  Former Russian territory
-  Former Habsburg territory (Hungarian Kingdom)
-  Former Habsburg territory (Austrian)
-  1914 border
-  1921 border

A

B

C

D

E

Black Sea

0 100
km

USSR

HUNGARY

YUGOSLAVIA

BULGARIA

T R A N S Y L V A N I A

BUKOVINA

BANAT

W A L L A C H I A

USSR

BESARABIA

River Danube

River Danube

Galați

Ploiești

Bucharest

Craiova

Timișoara

Arad

Cluj

Alba Iulia

Brasov

Iași

Chișinău

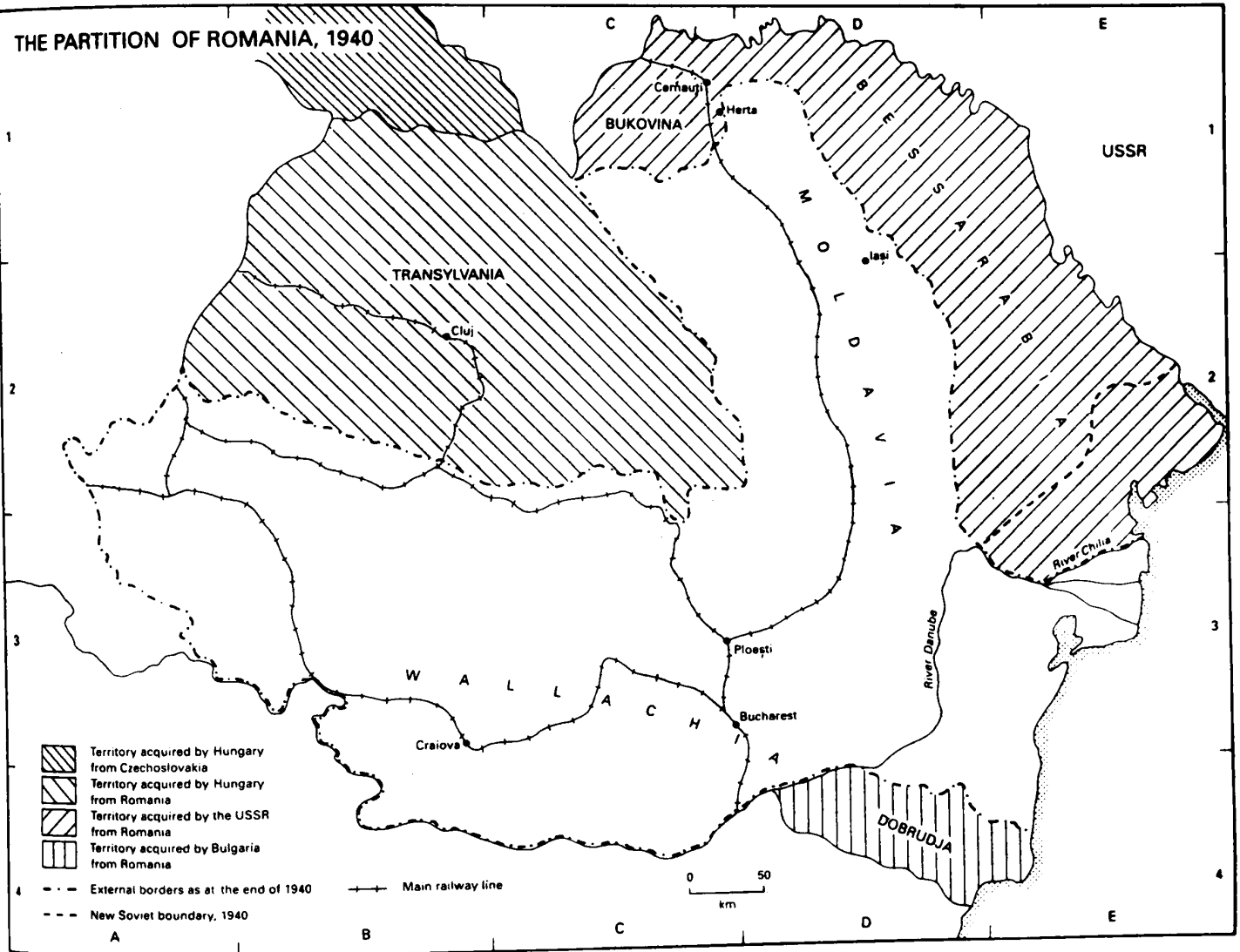
Cernăuți





River Prut




River Danube

Black Sea

THE PARTITION OF ROMANIA, 1940

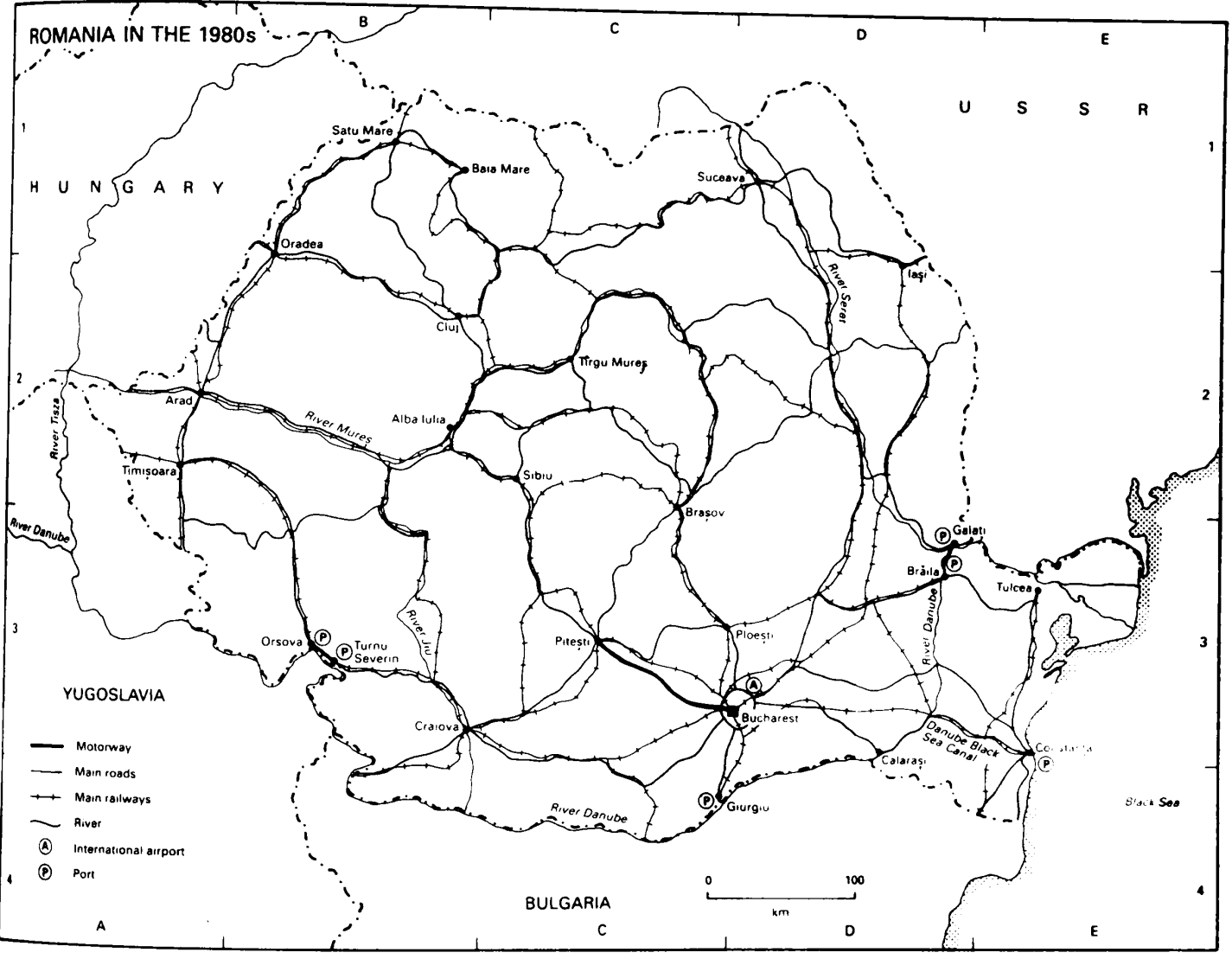


-  Territory acquired by Hungary from Czechoslovakia
-  Territory acquired by Hungary from Romania
-  Territory acquired by the USSR from Romania
-  Territory acquired by Bulgaria from Romania

-  External borders as at the end of 1940
-  Main railway line
-  New Soviet boundary, 1940

0 50
km

ROMANIA IN THE 1980s



Appendix – Changes in Agricultural holdings in the twentieth century

1. The distribution of land before the Great War

Categories	Size of Holding in 1905 (including arable, grazing and barren land)		Distribution of land in 1913 (without plantation, pastures and barren land)	
	Number	Percentage	Hectares	Percentage
Dwarf holdings below 2 hectares	476,649	42.0	572,167	19.2
Small holdings 2-10 hectares	602,886	53.3	2,664,720	45.7
Medium holdings 10-100 hectares	50,247	4.4	922,484	15.8
Large Farms – above 100 hectares	3,420	0.3	1,681,248	28.8
Total	1,133,202	100.0	5,840,621	100.0

Source: Mitrany (1927)

2. The distribution of arable land in 1927

Categories	Size of Holding		Distribution of land	
	Number	Percentage	Hectares	Percentage
Less than 5 hectares	3,231,463	87.54	6,280,994	47.29
Between 5-10 hectares	435,715	10.16	2,919,853	18.77
Between 10-50 hectares	148,860	3.96	2,392,691	16.26
Between 50-250 hectares	18,122	0.39	1,505,259	10.46
Above 250 hectares	2597	0.05	1,305,672	7.22
Total	3,836,757	100.00	14,404,469	100.00

Source: Mitrany (1927)

3. Agricultural holdings in 1948

Categories	Number	Percentage
Less than 3 hectares	1,106,768	52.8
Between 3-5 hectares	462,210	22.8
Between 5-10 hectares	398,280	17.8
Above 10 hectares	128,742	6.6
Total	2,096,000	100.00

Source: Roberts (1951)

4. Agricultural structure by farm type during the Communist period

Category of farm	1950		1960		1970		1980	
	No.	% of agricultural land	No.	% of agricultural land	No.	% of agricultural land	Number	% of agricultural land
State	36	5.3	560	11.8	370	14	407	13.6
Other state farm	-	16.3		17.6	-	16.1	-	16.4
Co-operative	1027	1.9	4887	29.2	4626	53.9	4643	54.4
Personal plots	680,000	0.1	1,42 million	2.3	3.45 million	6.6	-	6.2
Assoc-iations	-	-	8,798	21	-	0.2	-	-
Private Farms	-	76.4	-	18.1	-	9.2	-	9.4
Total -million hectares		14.3 million	-	14.5 million		14.9 million		15 million

Source: Turnock (1986)

5. Ownership structure of Romanian agriculture in 1997

	Total Number	Total Area in 000 hectares	Average area in hectares
Private Sector		11,510	
Percent of Total Area		74	
<i>of which</i>			
Agricultural Companies		1,733	433
Family Associations		1,499	100
Individual Households		8,278	2.4
State Sector		1,338	2134
Percent of total area		9	
Public Sector		2,616	
Percent of total area		17	

Source – OECD (1997)

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